

# APPENDIX H

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(OAKLAND DIVISION)**

**IN RE: COLLEGE ATHLETE NIL  
LITIGATION**

Case No. 4:20-cv-03919-CW

**DECLARATION OF RODNEY  
FORT AND ROGER NOLL IN  
SUPPORT OF OBJECTION TO  
SETTLEMENTS ON BEHALF OF  
CLASSES OF PAST, CURRENT  
AND FUTURE NCAA COLLEGE  
ATHLETES**

Hon. Claudia Wilken

1. My name is Rodney D. Fort. I am Professor Emeritus of Sport Management at the University of Michigan. Before coming to Michigan, I was a Professor of Economics at Washington State University. My primary field of teaching and research is the economics of sports, and my secondary fields are microeconomic theory and environmental and resource economics. I am the author or editor of seven scholarly books in sports economics and of over 100 articles, most of which are in the same field. Among these publications are *Sports Economics* (a textbook that had three editions); *Economics of College Sports*, co-edited with John Fizel; and *15 Sports Myths and Why They Are Wrong*, co-written with Jason Winfree (seven of the myths pertain to college sports). I have submitted testimony in several prior proceedings, including before the New Zealand Commerce Commission on the effects of salary caps in professional rugby and the U.S. Senate Subcommittee on Antitrust and Monopoly on competitive balance in baseball. My complete curriculum vita is included in Appendix A.

2. My name is Roger G. Noll. I am Professor Emeritus of Economics at Stanford University. My primary field of teaching and research is industrial organization, which deals with the study of product markets and policies targeted at specific markets and which includes sports economics and the economics of antitrust. I am the author or editor of nineteen books and over 400 articles and reviews, many of which deal with sports economics and/or antitrust economics. Among these publications are *Government and the Sports Business* (the first comprehensive book on the economics of professional sports in America); *Sports, Jobs and Taxes*, co-edited and partly co-written with Andrew Zimbalist; “Collusion in College Sports: O’Bannon v. NCAA” in *The Antitrust Revolution*, edited by John E. Kwoka and Lawrence J. White; and “Sports Economics on Trial: Alston v. NCAA” in the *Journal of Sports Economics*. I have testified before congressional committees investigating the sports industry and in

1 deposition and/or at trial in several antitrust cases involving sports, including *Alston v. NCAA*  
2 and *O'Bannon v. NCAA*. My complete curriculum vita is included in Appendix B.

### 3 **ASSIGNMENT**

4 3. We have been asked by Michael Hausfeld, Chair Emeritus to the law firm Hausfeld, to  
5 write a declaration summarizing the results of our independent economic analysis and evaluation  
6 of the proposed settlement of *House v. NCAA*, *Hubbard v. NCAA* and *Carter v. NCAA*  
7 (collectively “the House Settlement”). Specifically, we have been asked our opinion on whether  
8 the policies and rules described in the proposed settlement impose only reasonable restrictions on  
9 competition among the member schools and conferences of NCAA Division 1 for the athletic  
10 services of college athletes. In formulating our opinions, we relied upon the proposed settlement  
11 agreement, the *NCAA Division 1 2024-25 Manual*, the extensive research literature on the  
12 economics of college sports, and public information from the NCAA and the news media that is  
13 relevant to our inquiry, as cited in the footnotes and Exhibit 1.

14 4. We are not being compensated by either the Hausfeld firm, any party to this litigation, or  
15 anyone else for either writing this report or undertaking any of the research on which it is based.  
16 Our sole interest in preparing this declaration is to assure that the ultimate outcome of this  
17 litigation is based on valid economic analysis and imposes no unreasonable restrictions on  
18 markets for the athletic services of Division 1 athletes.

### 19 **INTRODUCTION AND SUMMARY**

20 5. The proposed “Amended Stipulation and Settlement Agreement” of *In re: College*  
21 *Athlete NIL Litigation* has two components. First is a procedure for calculating payments to  
22 members of three damages classes that collectively include all athletes who participated in  
23 NCAA Division 1 sports at any time between June 15, 2016, and September 15, 2024. Second is  
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1 the “Injunctive Relief Class Settlement” (IRCS), which describes proposed changes in NCAA  
2 policies and rules that would cap the total amount that a Division 1 college can spend annually  
3 on compensation of all future athletes in Division 1 sports at 51 percent of the average “shared  
4 revenue pool” among defendant schools for ten years after the IRCS is adopted.

5 6. This report deals with the second component of the settlement, the IRCS. Herein we  
6 apply the current body of research and available public data on the economics of sports to assess  
7 the impact of the reforms proposed in the IRCS on the economic welfare of future Division 1  
8 athletes. We find that the IRCS would impose unreasonable restrictions on the ability of future  
9 Division 1 athletes, individually and collectively, to benefit from competition for their athletic  
10 services. This section of the declaration summarizes our main conclusions; the basis for these  
11 conclusions is explained in the remainder of this report.  
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13 7. Our principal conclusion is that the IRCS imposes five unreasonable restrictions not only  
14 on the athletes who will aspire to participate in Division 1 intercollegiate athletics for the next  
15 decade, but also on many colleges that have Division 1 intercollegiate athletic programs. These  
16 restrictions prevent college athletes from being compensated for producing important benefits,  
17 financial and otherwise, that defendants derive from college sports. These restrictions are  
18 unreasonable because they are based on the false premise that the revenues that are derived  
19 directly from college sports are a reasonable basis for setting a single salary cap for all sports  
20 collectively at all Division 1 colleges. These restrictions are unnecessary because they are based  
21 on the false premise that universities are unable to control only one category of expenditures on  
22 college sports, the compensation of athletes, but not other costly categories, such as facilities,  
23 coaches and athletic administration, let alone all the other departments and programs they run.  
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25 8. First, the IRCS caps compensation of athletes at each Division 1 school at 51 percent of  
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1 the average revenue that defendant colleges receive from seven sports-related sources. The basis  
2 for using 51 percent of the average shared revenue pool is that major professional sports leagues  
3 in North America spend roughly half of their sports-related revenues on compensation of  
4 athletes. If this benchmark were valid, which, as explained elsewhere, it is not, the shared  
5 revenue pool in the IRCS still would be inadequate because it excludes revenues that are  
6 included in the shared revenue pool of professional leagues. Examples are revenues from  
7 concessions, parking, programs, gambling, sports-related business ventures (e.g., camps), and the  
8 imputed value of some complimentary tickets.

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10 9. Second, if the excluded direct revenue categories were added to the IRCS shared revenue  
11 pool, the IRCS compensation cap still would be inadequate because it does not include sports-  
12 related revenues that are not available to professional leagues but that, in a competitive player  
13 market, would be likely to affect the amount of compensation that colleges would pay their  
14 athletes. With one disputed exception,<sup>1</sup> all Division 1 universities are non-profit entities. Non-  
15 profit status gives colleges access to sources of revenue that are not available to professional  
16 sports leagues. An example is tax-exempt contributions to the athletics program that qualify  
17 donors for access to premium seating areas and special events, which is functionally equivalent  
18 to fees levied by professional teams that grant access to such amenities as luxury boxes, premium  
19 seating areas, and private clubs. Other examples are appropriations from governments,  
20 especially payments that are based on enrollment, and student fees, which functionally are forms  
21 of sponsorships for values that these benefactors derive from a school's athletics program.  
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25 <sup>1</sup> The possible exception is Grand Canyon University (GCU), a non-profit entity that contracts  
26 with for-profit Grand Canyon Enterprises (GCE) for most of its operations. The President of  
27 GCU also is the CEO of GCE. GCU and the U.S. Department of Education are litigating the  
28 validity of a decision by former Secretary of Education Miguel Cardona to deny GCU's request  
for designation as a non-profit entity (*Grand Canyon University v. Miguel Cardona*, U. S. Court  
of Appeals for the Ninth Circuit, Case No. 23-15124, November 8, 2024).

10. Third, the benchmarks for player compensation that the IRCS adopts are from leagues that operate under collective bargaining agreements (CBAs). These CBAs cover more issues than the procedures for calculating and enforcing the salary cap, many of which provide substantial value to athletes. Examples are minimum salaries, minimum total compensation (a floor as well as a cap), limits on disciplinary punishments, grievance procedures, free agency rules (parallel to transfer portal rules in NCAA Division 1), and anti-collusion rules. The IRCS does not include provisions that deal with these other or similar issues and so is of less value to athletes than an agreement having the same salary cap as the IRCS plus these other provisions.

11. Fourth, the IRCS imposes a governance structure on college sports that limits the ability of future athletes to pursue otherwise legal means to advance their economic interests, such as by forming a union, filing further antitrust challenges against the NCAA, or seeking other benefits to workers that arise if they are found to be employees. The IRCS requires acquiescence by plaintiffs to defendants' quest to prevent college athletes from seeking employee status and, thereby, the ability to pursue rights granted to employees under labor laws, including the right to unionize and to be paid the minimum wage. Athletes in professional leagues face no comparable restrictions on their participation in regulatory, legal or political affairs.

12. Fifth, a fundamental undesirable feature of the IRCS is that it caps the accounting cost of the compensation of athletes as a fraction of revenue in an industry in which neither accounting costs nor revenues have much meaning as measures of the value of either athletics programs or the compensation of athletes. For example, the rules regarding permissible increases in the number of athletic scholarships are expressed as a dollar cap of \$2.5 million on spending for new scholarships, rather than simply an increase in the number of allowed scholarships. The problem with this approach is that the accounting cost of a scholarship is varies from roughly \$20,000 at

the least expensive state colleges to over \$90,000 at many private research universities, allowing some schools to create over 100 new scholarships while others can create fewer than 30.

13. The remainder of this objection explains in greater detail the basis for these conclusions.

#### **ECONOMIC EVALUATION OF THE SETTLEMENT**

14. The IRCS allows Division 1 schools to increase the total amount of compensation that is paid to college athletes above the pre-Alston cap<sup>2</sup> by 22 percent of the average “shared revenue pool” [IRCS Article 3 Section 1(c)] among “autonomy” schools (currently the Power Four conferences plus Notre Dame). This change creates a salary cap<sup>3</sup> for athletes at each Division 1 college that the parties assert is comparable to the salary caps in major league professional sports<sup>4</sup> in that compensation of athletes accounts for roughly 50 percent<sup>5</sup> of all sports-related revenue that is collected by each of the four major pro leagues and its teams.

15. While the IRCS would increase the cap on compensation of college athletes, the proposed

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<sup>2</sup> The pre-Alston cap is all compensation paid by a Division 1 university to athletes in NCAA sports that was permissible under the NCAA rules in place before the final outcome in *Alston v. NCAA*. This pre-Alston amount excludes education-related benefits that were made available after the *Alston* decision. Going forward, all so-called “Alston benefits” must be paid from the increment in allowed compensation from the shared revenue pool.

<sup>3</sup> Prior NCAA rules for restricting compensation of college athletes had an implicit salary cap equal to the sum of three components: (1) the number of scholarships permitted for every sport multiplied by the value of a full cost-of-attendance scholarship; (2) compensation from the Student Assistance Fund (for details, see [https://ncaaorg.s3.amazonaws.com/ncaa/finance/d1/2024D1Fin\\_RevenueDistributionPlan.pdf](https://ncaaorg.s3.amazonaws.com/ncaa/finance/d1/2024D1Fin_RevenueDistributionPlan.pdf), pp. 14-16.); and (3) benefits “incidental to participation” that are exceptions to amateurism rules, including prizes for playing in conference and national championships (see Operating Bylaw 12.1.2.1-4, NCAA Division 1 2024-2025 Manual, <https://www.ncaapublications.com/productdownloads/D125.pdf>).

<sup>4</sup> “Division I college athletes will now be eligible to receive benefits collectively approximating 51% of future athletic revenues—comparable to professional sports.” Plaintiffs Supplementary Brief in Support of Motion for Preliminary Settlement Approval, September 26, 2024, p. 1. Because the shared revenue pool at each Division 1 institution is not remotely close to any publicly available data on college sports finances, we are unable to authenticate whether the IRCS salary cap is approximately half of the shared revenue pool, but even if it is, the cap is not comparable to salary caps in professional sports leagues for reasons explained in the text.

<sup>5</sup> The precise fraction of revenue allocated to the shared revenue pool differs among professional leagues and within a league varies among categories of revenues.



1 shared revenue pool is far less than the revenue that college athletes generate for defendants for  
2 four reasons. First, the IRCS shared revenue pool excludes sources of revenue that are included  
3 in the shared revenue pools of professional leagues. Second, for no explicitly stated reason the  
4 IRCS shared revenue pool excludes sources of sports-related revenue that are available to  
5 colleges due to their status as either private or government non-profit educational institutions but  
6 that are not available to professional teams and leagues. Third, a large fraction of the  
7 compensation that the IRCS would cap is not derived from a market process, as is compensation  
8 of professional athletes, but instead consists of in-kind benefits valued at internal transfer prices  
9 that are both paid for and received by the university (examples are tuition and fees and on-  
10 campus room and board charges). Fourth, CBAs in professional sports contain many provisions  
11 that benefit athletes but are not included in the IRCS, such as provisions that establish minimum  
12 salaries and guarantee that total player compensation is near the cap. These four attributes make  
13 the IRCS less valuable to college players than a professional CBA with a superficially similar  
14 salary cap at 51 percent of a standard professional shared revenue pool.

### 17 *The Professional CBA Benchmark*

18 16. Because salary caps in major league professional sports serve as benchmarks for the  
19 IRCS, a useful starting place for evaluating the IRCS is to compare its content with the content  
20 of these CBAs. The NBA and NFL CBAs<sup>6</sup> are the best professional benchmarks for the IRCS  
21 because men's basketball and football generate substantially more revenue than other college  
22 sports and because the NBA and NFL also have salary caps based on average total sports-related  
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26 <sup>6</sup> The 2023 NBA CBA is accessible at: <https://imgix.cosmicjs.com/25da5eb0-15eb-11ee-b5b3-fbd321202bdf-Final-2023-NBA-Collective-Bargaining-Agreement-6-28-23.pdf>. The 2020 NFL  
27 CBA is accessible at: <https://nflpaweb.blob.core.windows.net/website/PDFs/CBA/March-15-2020-NFL-NFLPA-Collective-Bargaining-Agreement-Final-Executed-Copy.pdf>.

1 revenues among teams in the league.

2 *The Complexity Gap*

3 17. A striking difference between the IRCS and CBAs is in their length and complexity. The  
4 IRCS weighs in at 82 pages, consisting of 32 pages of double-spaced main text, a 45-page  
5 appendix that describes the NCAA's mandatory Membership Financial Reporting System  
6 (MFRS), and 5 pages in another appendix that contains new roster limits for all Division 1 sports  
7 to replace the current scholarship limits. By comparison, the NBA CBA consumes 676 pages,  
8 including a 24-page Table of Contents, 560 single-spaced pages of main text, and 92 pages of  
9 exhibits. The NFL CBA has 455 single-spaced pages, including 15 pages for the Table of  
10 Contents, 334 pages of main text, and 106 pages of appendixes.

12 18. The documents differ in length for two reasons. First, for topics covered in both the  
13 IRCS and CBAs, the provisions in the latter are much longer and more detailed. Second, the  
14 CBAs address many other issues concerning the relationship between a league and its players  
15 that the IRCS does not mention. The second category includes minimum salaries, various non-  
16 salary benefits and working conditions. These issues are mandatory issues for collective  
17 bargaining, so excluding them from the IRCS enables the NCAA to continue to exercise  
18 unilateral control of these issues as long as athletes do not achieve employee status and unionize.

19 19. The importance of these differences arises because the value of a CBA to a professional  
20 athlete is the net effect of all of provisions, reflecting the fact that during the negotiation of a  
21 CBA a party will make concessions on some terms in return for better outcomes on other terms.  
22 Hence, a CBA is not a valid benchmark for the IRCS unless all provisions in the CBA that are  
23 not part of the ICRS deliver no net benefits to athletes. Obviously, having a say in determining  
24 minimum pay, working conditions and non-salary benefits is of value to athletes.  
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20. An especially important example of a topic that CBAs cover in greater detail than the IRCS is the description of the sources of revenue that are included in the shared revenue pool. In the IRCS this topic fills slightly more than one double-spaced page of the main text and a five-page table in the appendix on financial reporting. The corresponding part of the NBA CBA [Article VII Section 1(a)] occupies 34 single-spaced pages, while the corresponding part of the NFL CBA [Article 12 Section 1(a)] fills 15 single-spaced pages. The detail in CBAs arises because the extent to which revenue is derived from playing games is often difficult to ascertain and so requires a bargained agreement to anticipate and resolve ambiguities and disagreements.

21. An illustration of the differences in details in describing the shared revenue pool is the treatment of complimentary tickets in calculating ticket sales. Teams give away tickets for multiple purposes, including promotion and marketing, public relations, charitable contributions, in-kind compensation of employees, facilitation of other business relationships, and *de facto* bundles of tickets with other products. Some of these uses may not plausibly be a source of value to team owners beyond a promotional effect on future ticket sales, which would be captured later as sports-related revenue when it occurs. Other uses of free tickets may deliver value that is not captured in either present or future sports-related revenue, such as making free tickets part of the compensation of employees. And whether a free ticket has an opportunity cost to a team depends on whether the team normally sells all or most tickets and whether the recipients of free tickets would be likely to pay to attend the game were free tickets not given. In a competitive player market, athletes would be compensated for free tickets that create value for team owners, so these tickets should be counted as a component of sports-related revenue.

22. In professional sports that use shared revenue pools to define salary caps, management and unions negotiate how complimentary tickets will be treated in calculating revenues from

1 ticket sales. The NBA and NFL CBAs describe how different types of complimentary tickets are  
 2 accounted for in the shared revenue pool. For example, the CBAs in the NBA [Article VII  
 3 Section 1(a)(1)(i)] and NFL [Article 12 Section 1(a)(2)(D)] limit the number and purposes of  
 4 complimentary tickets that are excluded from revenues. The IRCS measures ticket revenues as  
 5 sales receipts and mentions complimentary tickets only once (MFRS, p. 28) in the context of  
 6 assuring that all tickets are allocated among sold, complimentary and unsold tickets.  
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### 8 *CBA Provisions that Are Not Mentioned in the IRS*

9 23. The benchmark CBAs contain numerous provisions that are not mentioned in the IRCS  
 10 but that would be valuable to college athletes if they were part of the IRCS.

11 24. One important provision in the CBAs that is not mentioned in the IRCS is minimum  
 12 salary guarantees. The salary caps in both the IRCS and the CBAs set a maximum value for the  
 13 compensation of athletes, but nothing in the IRCS establishes a floor for such compensation.  
 14 The IRCS explicitly states that schools and conferences “shall unilaterally decide/determine  
 15 whether and how much of any benefits newly permitted by this Injunctive Relief Settlement to  
 16 provide to any individual Division 1 student-athlete (up to the pool amount).”<sup>7</sup>  
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18 25. Two provisions of the CBAs establish a salary floor. One is the minimum individual  
 19 salary (NBA CBA Article II Section 5, NFL CBA Article 26 Section 1). The other is a floor on  
 20 total compensation of all athletes (NBA CBA Article VII Section 2, NFL CBA<sup>8</sup> Article 12  
 21 Sections 8-9). The CBAs also have numerous other provisions setting floors on compensation,  
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24 <sup>7</sup> IRCS Article 3 Section 2.

25 <sup>8</sup> The NFL team and league floor pertain to cash compensation whereas the salary cap is based  
 26 on annual accounting costs. The most important difference between these rules is that signing  
 27 bonuses are amortized over the years covered by the contract for the purpose of determining  
 28 compliance with the annual salary cap but are counted in full in the year they are paid for the  
purpose of enforcing the minimum cash compensation floor.

1 such as provisions on compensation for players who are cut because they are injured, are not on  
2 the regular playing roster, or are signed to short-term contracts.

3 26. The IRCS has no such guarantees, as it must if schools that have no athletic scholarships  
4 (e.g., the Ivy League) are going to remain in Division 1. But this accommodation is purchased at  
5 the price of not affording the protection of a minimum pay floor to athletes who attend Division  
6 1 schools with sports programs that are more commercialized than the Ivy League, including the  
7 defendants. Ultimately the cause of this problem is the decision to produce a common salary cap  
8 formula that applies to all NCAA sports and all Division 1 conferences, which is a much more  
9 heterogeneous group of athletes and teams than single-sport players in a professional league<sup>9</sup> or  
10 even all athletes in the autonomy group (the defendants). Regardless of the merits of having a  
11 salary floor in the IRCS, the value of the IRCS to athletes is lower because no floor is included.  
12

13 27. Another issue that is addressed in CBAs but not in the IRCS is procedures for dealing  
14 with and punishing violations of behavioral rules. Article VI of the NBA CBA (“Player  
15 Conduct”) and Articles 42 (“Club Discipline”) and 46 (“Commissioner Discipline”) define areas  
16 in which players are subject to behavioral rules while participating in either team activities or  
17 private life and set forth maximum punishments for violating these rules. The behavioral  
18 provisions deal with conduct ranging from minor transgressions (e.g., establishing maximum  
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22 <sup>9</sup> One does not observe any CBAs for multiple professional sports, so the NBA and NFL CBAs  
23 are not useful for assessing whether the IRCS reasonably accommodates all NCAA Division 1  
24 sports. Most sports at most Division 1 colleges generate little revenue, so that revenue (or profit)  
25 cannot possibly be the source of value such sports bring to a college. Hence, a compensation  
26 system based on revenues cannot possibly reflect accurately the value that athletes in these sports  
27 create for their colleges. For example, the prospect of donations from a few benefactors may be  
28 sufficient to cause a college to support a minor sport, but such charitable contributions are not  
part of shared revenue in the IRCS. Likewise, adding a minor sport may attract more  
applications from athletes who engage in that sport, thereby increasing demand to attend the  
school, but none of the benefits arising from greater demand – greater enrollment, higher tuition,  
increased state appropriations – are included in the shared revenue pool.

1 fines of \$2,999 in the 2024 season for throwing a football into the stands and \$5,000 for failing  
2 to attend an instructional meeting on the “business of basketball”) to penalties for engaging in  
3 violence, which can involve both large fines and suspensions from the team. Both CBAs also  
4 contain provisions setting forth grievance procedures for challenging disciplinary actions by a  
5 team or the Commissioner. The IRCS contains no similar provisions, even though the NCAA  
6 and conferences all retain roles in disciplining college athletes for violating NCAA rules with  
7 respect to recruitment and compensation as well as behavior on and off the field of play.  
8

9 28. Both CBAs also contain lengthy provisions that deal with free agency – the circumstance  
10 in which a player is allowed to negotiate a player contract with multiple teams simultaneously.  
11 The parallel to free agency in college sports to is the “transfer portal” – designated times when  
12 college athletes in a given sport are allowed to announce their interest in changing schools and to  
13 negotiate the compensation they will receive if they transfer. The absence of any provisions in  
14 the IRCS regarding transfers is potentially of great significance because it gives college athletes  
15 no role in the design and operation of the transfer system.  
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17 ***Anticompetitive Effect of Proposed Scholarship Caps***

18 29. In one domain the IRCS is more complex than the benchmark CBAs. An important  
19 difference between the IRCS and professional CBAs is that the former covers all NCAA  
20 Division 1 sports, whereas each of the latter applies to only one professional sport. In so doing,  
21 the IRCS creates competition among teams in different sports for roster slots and salary budgets  
22 in a way that advantages public universities at the expense of private colleges. This outcome  
23 arises due from two features of the IRCS. First, the existing scholarship cap for each sport is  
24 increased substantially by expanding the number of scholarships allowed to a far greater number  
25 than any school would offer. Second, the increase in the budget for scholarships is capped at  
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1 \$2.5 million [Article 3 Section 3(b)], which causes the number of permitted new scholarships to  
2 vary enormously among colleges.

3 30. The problem that is created by this restriction arises because the face value of a  
4 scholarship differs greatly among Division 1 colleges. Consequently, the permitted increase in  
5 the number of athletes varies substantially among schools due to differences in their cost of  
6 attendance. The resulting distortion in the market for Division 1 athletes is new – it does not  
7 exist in the pre-settlement world in which the number of scholarships, not their aggregate value,  
8 is capped. Thus, under the old rules all schools could have the same number of scholarships  
9 regardless of the sticker price of attending the university.  
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11 31. A simple numerical example illustrates the point. Suppose two colleges that compete in  
12 FBS, one private and one public, are located in the same metropolitan area. Assume that the  
13 incremental cost of admitting one more student is the same at both colleges, but that the public  
14 university receives a state subsidy of \$12,000 for each student that enrolls. Due to the subsidy,  
15 tuition and fees are \$25,000 at the public college but \$37,000 at the private college, causing full  
16 cost of attendance to a student to be \$60,000 at the private college and \$48,000 at the public  
17 college. With total spending on new scholarships capped at \$2.5 million, the public college can  
18 add the equivalent of 52.1 full COA scholarships, but the private college can add only 41.7.  
19

20 32. The IRCS proposes to increase the scholarship limit for football by 20. If the drive to  
21 remain competitive in the most financially lucrative sport leads both schools to add 20 football  
22 scholarships, the private school will have 21.7 scholarships left for all other sports compared  
23 with 32.1 for the public college.  
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25 33. The preceding example does not take into account another feature of college finances: at  
26 public colleges in-state students pay lower tuition than out-of-state students. If out-of-state  
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1 students pay the same tuition at both colleges, the public college has an incentive to give its new  
2 scholarships to in-state students in order to maximize its numerical advantage in incremental  
3 scholarships over its cross-town rival. For athletes from states supplying a large number of FBS  
4 football players to colleges in other states, this feature of the IRCS causes anticompetitive harm  
5 by reducing the intensity of competition from out-of-state colleges for their athletic services.  
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7 34. The preceding example also does not take into account the differences among colleges in  
8 the educational programs (and hence the cost and value of educational programs). A notable  
9 difference between CBAs and the IRCS is that most of the compensation described in a CBA  
10 refers to the amount teams pay to athletes, whereas before the Alston decision most financial aid  
11 to athletes consisted of credits on a student's bill for university services: tuition, fees, room and  
12 board. The "sticker price" for these services varies among colleges for many reasons, some of  
13 which may be related to the quality of the service but others of which may not.  
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15 35. For example, a student in a laboratory science or engineering major receives a more  
16 costly and more financially lucrative education than most other students. And revenues to cover  
17 the costs of educating a student come from many sources (donations, government appropriations)  
18 that vary among colleges. Likewise, athletes and non-athletes may pay the same room and  
19 board, but athletes often have more luxurious accommodations than most other students due to  
20 the generosity of benefactors of the athletics program. Thus, the book cost of an athletic  
21 scholarship is much less reliable as an indicator of the value of the compensation of a college  
22 athlete than the average salary of a professional athlete as determined by a CBA.  
23

24 36. Table 2 provides real examples of the disparity in impact of the IRCS arising from these  
25 differences in sticker prices among colleges. The table shows the value of a cost-of-attendance  
26 scholarship for athletes at four groups of FBS schools that are located near each other. Data are  
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1 shown for in-state and out-of-state athletes at the public colleges. Each group includes three  
 2 colleges: a distinguished private college, a flagship state research university, and a state college  
 3 with education as its primary mission. In all cases the private college has far fewer potential new  
 4 scholarships compared with both public schools, and in all cases the flagship university has  
 5 fewer new scholarships than the state teaching college.  
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7 37. By capping expenditures rather than scholarships, the ICRS makes it difficult, if not  
 8 impossible, for the most academically prestigious FBS schools to take advantage of the  
 9 opportunity to award 20 additional scholarships in football. To satisfy Title IX requirements, the  
 10 school must also make a proportionate increase in athletic scholarships for women. But the cost  
 11 of 40 new scholarships exceeds the \$2.5 million cap if a college's COA exceeds \$62,500.<sup>10</sup>  
 12 More generally, due to variation in cost of attendance, the new scholarship limit will enable  
 13 some schools (e.g., Northern Iowa, Troy) to add over one hundred new scholarships, while  
 14 others (e.g., Northwestern, Southern California, Vanderbilt) can add fewer than 30. Of course,  
 15 CBA salary caps do not differentially affect teams; they seek to reduce, not increase, disparities.  
 16

17 38. There is no obvious reason why the NCAA would want to create such an enormous  
 18 distortion in the number of scholarships among Division 1 colleges can grant. Such a disparity  
 19 will make it far more difficult for private schools to continue to compete at the highest levels in  
 20 more than a few sports and to achieve compliance with Title IX, which requires that women  
 21 share roughly proportionately in the new scholarships. Indeed, the disparity in the impact of the  
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 25 <sup>10</sup> A university that adds 20 football scholarships and 20 scholarships for women athletes will  
 26 exceed the \$2.5 million cap if its COA is greater than  $(\$2,500,000/40) = \$62,500$ . For reference,  
 27 at Wake Forest, where COA is \$91,266, only 27.1 new scholarships are permitted under the \$2.5  
 28 million cap, meaning that if the university adds 20 football scholarships and 20 new scholarships  
 in women's sports, it must eliminate 13 existing scholarships in men's sports. It must be  
 emphasized that this tension between men's and women's sports is entirely a consequence of  
denominating the new scholarship cap in dollars rather than scholarships.

1 new scholarship rules is sufficiently large that it calls into question whether any private  
2 university can remain competitive in FBS football under the IRCS scholarship and salary caps.

3 39. Another feature of the IRCS is that the proposed increase in the cap on scholarships is far  
4 greater than any university could fit in under the \$2.5 million expenditure cap. Table 3 shows  
5 the new roster limits for NCAA Division 1 sports, which also is the upper bound on scholarships  
6 in each sport. The Division 1 colleges with the lowest cost of attendance can add more than 100  
7 new scholarships, but the sum of the increases in allowable scholarships across all sports is  
8 nearly 800. Thus, even at schools that can offer the greatest number of new scholarships, the  
9 vast majority of sports will experience little or no increase.  
10

11 ***Revenues Excluded from Calculating the Compensation Cap***

12 40. The IRCS shared revenue pool excludes several categories of revenues that are part of  
13 shared revenue pools in professional sports. Article 3 of the IRCS refers to a list of 20 categories  
14 of revenues, summarized in Table 1, that member schools are required to report to the NCAA  
15 (Appendix A of the NCAA's 2024 *Agreed-Upon Procedures*). The categories that are included  
16 in the IRCS shared revenue pool are: ticket sales, media rights fees, distributions from  
17 conferences and the NCAA, payments to play a game away from home (including bowl games),  
18 and income from advertising, licenses other than media, and sponsorships. Twelve revenue  
19 categories are excluded from the shared revenue pool, some of which are both important and  
20 directly attributable to athletics.  
21  
22

23 41. One excluded category is revenues from concessions, novelties, parking and programs  
24 (revenue category 14 in Appendix A of the NCAA's "Agreed-Upon Procedures" for financial  
25 reporting). By comparison, the benchmark CBAs include these revenues for purposes of  
26 calculating their salary caps [NBA CBA Article 7 Section 1, NFL CBA Article 12 Section  
27  
28

1 1(a)(i)(3)].

2 42. A related revenue category that is not included in the shared revenue pool is income  
3 derived from gambling. Gambling is not listed as a source of revenue in the NCAA's MFRS,  
4 reflecting the fact that until recently gambling on college games was not legal in nearly all of the  
5 nation and, in any case, colleges generally did not associate themselves with gambling activities.  
6 But this has changed in recent years.<sup>11</sup> NCAA President Charles Baker has stated that he regards  
7 gambling as a potentially important future source of income for college sports.<sup>12</sup> If so, income  
8 from gambling on college sports should be included in the shared revenue pool.  
9

10 43. Professional leagues, which also previously opposed all connections of their sport to  
11 gambling, also recently reversed field. As a result, leagues and players unions have developed  
12 policies and procedures for including gambling revenue in their shared revenue pools. The  
13 benchmark CBAs [NBA CBA Article VII(a)(1)(xiii); NFL CBA Article 12 Section 1(a)(i)(10)]  
14 include net revenues (bets net of winnings and excise taxes on bets) derived from gambling  
15 entities in or near the stadium, whether operated by the team or a team affiliate.  
16

17 44. The shared revenue pool also excludes all government payments, including  
18 appropriations that are paid on a per-student basis (that is, that are based on enrollment). Most  
19 football members of Division 1 (either FBS or FCS) are state universities that derive a  
20 substantial fraction of their budgets from state governments. Often state budgets for these  
21 institutions are based on enrollment. For example, the *California State Spending Plan: Higher*  
22

23  
24 <sup>11</sup> Anna Betts, Andrew Little, Elizabeth Sander, Alexandra Tremayne-Pengelly and Walt  
25 Bogdanich, "How Colleges and Sports-Betting Companies 'Caesarized' Campus Life," *New*  
*York Times* November 20, 2022 at [https://www.nytimes.com/2022/11/20/business/caesars-](https://www.nytimes.com/2022/11/20/business/caesars-sports-betting-universities-colleges.html)  
[sports-betting-universities-colleges.html](https://www.nytimes.com/2022/11/20/business/caesars-sports-betting-universities-colleges.html).

26 <sup>12</sup> Karen Weaver, "NCAA Leader Sees Expanded Media Right, Gambling As New Revenue  
27 Opportunities For College Sports," *Forbes* June 11, 2023, at [https://www.forbes.com/sites/](https://www.forbes.com/sites/karenweaver/2023/06/11/ncaa-leader-sees-expanded-media-rights-gambling-as-new-revenue-opportunities-for-college-sports/)  
[karenweaver/2023/06/11/ncaa-leader-sees-expanded-media-rights-gambling-as-new-revenue-](https://www.forbes.com/sites/karenweaver/2023/06/11/ncaa-leader-sees-expanded-media-rights-gambling-as-new-revenue-opportunities-for-college-sports/)  
[opportunities-for-college-sports/](https://www.forbes.com/sites/karenweaver/2023/06/11/ncaa-leader-sees-expanded-media-rights-gambling-as-new-revenue-opportunities-for-college-sports/).

1 *Education*<sup>13</sup> explains how the budgets of California State University and the University of  
2 California are set.<sup>14</sup>

3 “The language authorizes the administration to reduce funding for CSU if it  
4 enrolls fewer students than expected. Funding would be reduced at the  
5 2024-25 state marginal cost rate of \$10,995 for each student below the  
6 expected level.”

7  
8 “Provisional language authorizes the administration to reduce funding for  
9 UC if it enrolls fewer students than expected. Funding would be reduced at  
10 the 2024-25 state marginal cost rate of \$11,640 for each student below the  
11 expected level.”

12 Both Cal State and UC currently are below their enrollment targets, which means that the  
13 governor unilaterally can increase state appropriation for each university by roughly \$11,000 for  
14 every additional athlete that either university admits until the enrollment cap is reached.

15  
16 45. While one can appreciate the political rationale for excluding government appropriations  
17 for the purpose of calculating the salary cap, nevertheless excluding it removes a legitimate  
18 source of sports-related revenue. State universities exist because state officials believe that they  
19 deliver public benefits to the state, including attracting educated citizens and businesses that hire  
20 them as well as receiving favorable publicity through their athletics programs. Thus,  
21  
22

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23 <sup>13</sup> California Legislative Analyst’s Office, *The California 2024-2025 Spending Plan: Higher*  
24 *Education*, September 11, 2024. <https://lao.ca.gov/Publications/Report/4926#university-of-california>.

25 <sup>14</sup> California State Universities that are members of FBS are Fresno State, San Diego State and  
26 San Jose State, while the campuses that are members of Division 1 but not FBS are Cal Poly San  
27 Luis Obispo, Cal State Bakersfield, Cal State Fullerton, Cal State Long Beach, Cal State  
28 Northridge and Cal State Sacramento. University of California campuses in FBS are UC  
Berkeley and UCLA, while the UC members of Division 1 that are not in FBS are UC Davis, UC  
Irvine, UC Riverside, UC San Diego and UC Santa Barbara.

1 functionally state governments serve as a kind of sponsor for their universities, implying that  
2 appropriations to support athletics properly should be regarded as sports-related revenues.

3 46. A similar argument applies to charitable contributions to the athletics program. In some  
4 cases, charitable contributions make the donor eligible for preferential season-ticket seat  
5 locations and invitations to special events, such as signing-day celebrations and end-of-season  
6 banquets. These contributions are functionally equivalent to licenses that are sold by pro teams  
7 that make purchasers eligible to buy preferential seats or visit restricted bars and restaurants.  
8 The main difference is that pro license fees are not tax deductible because pro teams are for-  
9 profit entities. But functionally if seat license fees are sports-related revenue for pro teams,  
10 charitable contributions that serve the same purpose should have the same status.  
11

## 12 **PURPOSES AND PERFORMANCE OF COLLEGE SPORTS PROGRAMS**

13 47. As documented in the previous section, the proposed new compensation system for  
14 Division 1 athletes contains numerous restrictions on competition among Division 1 colleges for  
15 the services of their athletes. In antitrust economics, such restrictions are justified only if they  
16 have a reasonable business justification – that is, the restrictions deliver benefits to college  
17 athletes that could not reasonably be obtained in a less restrictive system.  
18

19 48. The fundamental problem with the IRCS is that it is constructed on the basis of a pro-  
20 competitive justification that is not valid, which is that universities cannot control spending on  
21 the athletes who participate in their intercollegiate sports program, so that without restrictions  
22 colleges will spend so much that fans lose interest, revenues fall, colleges cut their programs, and  
23 athletes have fewer roster slots and scholarships. This belief is bizarre in that it singles out as  
24 beyond control only one of the many expenditure categories of the budget of an athletics  
25 department, which is only one administrative unit in the university. The same institutions that  
26  
27

1 need no collusion to control spending on coaches, athletic facilities, engineering laboratories and  
2 physics professors require help in dealing with the demands of 20-something athletes.

3 49. The true relationship between university administrators and their college sports endeavors  
4 has been understood by sports economists for five decades. Exhibit 1 contains an incomplete but  
5 extensive and representative list of research publications on the management of college sports  
6 over the past 30 years. Fort and Winfree (2013) contains a review of this research and provides a  
7 detailed analysis of this relationship as well as an explanation for the dangers of the “out of  
8 control” myth in seven separate chapters about college sports.<sup>15</sup>

10 50. Essentially, as with every part of the university, college administrators choose the size  
11 and scope of their athletic department according to their goals of maximizing some combination  
12 of research, teaching and service, with the precise mix differing among colleges according to the  
13 specifics of their public missions. Athletic directors maximize revenues from sports because  
14 doing so allows university administrators to obtain the value of the athletic department at lowest  
15 cost. While some athletic departments generate revenues sufficient to cover their costs, the vast  
16 majority require appropriations from university administrators in the form of “institutional  
17 support” in order to optimize the contributions of athletics to the goals of the university.

19 51. The source of institutional support from the university is general revenue – income that is  
20 not easily attributable to any particular administrative unit. Examples are tuition, state  
21 government appropriations, and general contributions to the university. These revenues are  
22 assigned for budgetary purposes to the highest-ranking officials of the university, usually a  
23

24  
25 <sup>15</sup> For a good review of this research, see Daniel A. Rascher and Andrew D. Schwarz, “Review  
26 of Literature” (Chapter III), *The Incremental Benefits and Costs of Football, Bowling, and Rifle*  
27 *at the University of Alabama at Birmingham*, pp. 2-22.

1 President/Chancellor and a Provost/Academic Vice Chancellor, who then allocate these revenues  
2 among the university's administrative units. The fact that general revenue is assigned to top  
3 administrators does not imply that this income is caused by top administrators, rather than  
4 attributable in some fashion to the various departments and programs of the university. That is,  
5 few students are likely to attend a university because of the identity of its President. A good  
6 academic department, or a good athletics program, ordinarily increases applications from  
7 prospective students who pay tuition and later, as alumni, make donations and encourage state  
8 governments to appropriate more funds to the university. Exhibit 1 contains numerous peer-  
9 reviewed articles that show how and under what conditions a college sports program contributes  
10 to a university in ways that are not included in the MFRS as revenues generated by athletics.  
11

12 52. University administrators allocate general funds to athletics because college sports are  
13 good investments in building public support for a university, although the details of how this  
14 occurs differ among universities according to their academic characteristics and the nature of the  
15 community and state in which they are located. Far from being "out of control," athletic  
16 departments are given a budget and are expected to spend it because athletics creates value for  
17 the university in more ways than simply the direct revenues from staging athletic events. The  
18 agreement plays to a "stop them before they spend again" mentality without any attention at all  
19 to the details of the true relationship between university administrators and their college sports  
20 endeavor. The rationale for the IRCS hangs on this thoroughly discredited myth.  
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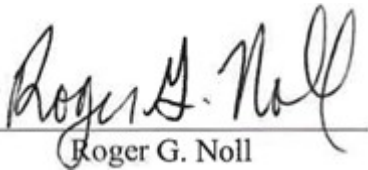
1  
2 I declare that the foregoing is true to the best of my knowledge and belief.  
3  
4

5 Executed on January 17, 2025, in Salem, Oregon.  
6

7   
8

9 Rodney D. Fort  
10

11 Executed on January 17, 2025, in Stanford, California.  
12

13   
14 Roger G. Noll  
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**TABLE 1: ATHLETICS REVENUE CATEGORIES****Included in IRS  
Shared Revenues**

Ticket Sales  
 Fees from Away Games  
 Media Rights  
 Licensing, Sponsorships,  
     Advertising, Royalties  
 NCAA Distributions  
 Conference Distributions:  
     \* Bowls  
     \* Other  
 Other Bowl Revenues

**Not Included in IRS  
Shared Revenues**

Government Appropriations for Athletics  
 Student Fees for Athletics  
 Net Direct Institutional Unrestricted Funds  
 Allowances for Indirect Support  
 In-kind Contributions  
 Institutional Support for Facilities  
 Cash Contributions (Includes Seat Licenses)  
 Compensation Paid by Third Party  
 Concessions, Programs and Parking  
 Sports Camp Revenues  
 Investment Income for Athletics  
 Other

**TABLE 2: SCHOLARSHIPS ALLOWED UNDER NEW CAP  
AMONG REGIONAL RIVALS**

<b>Schools</b>	<b>In-State COA</b>	<b>Out-of-State COA</b>	<b>Max New Scholarships</b>
<i>California</i>			
San Diego State	\$37,324	\$53,644	67.0
UCLA	42,059	76,259	59.4
USC	95,225	95,225	26.3
<i>Indiana</i>			
Ball State	27,602	47,050	90.6
Indiana U.	30,600	60,348	81.7
Notre Dame	82,925	82,925	30.1
<i>Texas</i>			
N. Texas State	28,494	49,794	87.7
Texas A&M	30,608	58,976	81.7
SMU	86,104	86,104	29.0
<i>North Carolina</i>			
UNC-Charlotte	25,288	41,522	98.9
UNC-Chapel Hill	27,036	51,632	92.5
Wake Forest	91,266	91,266	27.4

Note: Cost of attendance figures are for 2024-25 academic year and are from the web pages of the schools. Where tuition varies by school and major, the lowest value is used. Maximum New Scholarships refers to the maximum number of full scholarship equivalents for in-state students.

**TABLE 3: SCHOLARSHIP LIMITS**

<b>Sport</b>	<b>Current</b>	<b>New</b>	<b>Increase</b>
Acrobatics & Tumbling (W)	14	55	41
Baseball (M)	11.7	34	22.3
Basketball (M)	13	15	2
Basketball (W)	15	15	0
Beach volleyball (W)	6	19	13
Bowling (W)	5	11	6
Cross country (M)	5	17	12
Cross country (W)	6	17	11
Equestrian (W)	15	50	35
Fencing (M)	4.5	24	19.5
Fencing (W)	5	24	19
Field hockey (W)	12	27	15
Football (M)	85	105	20
Golf (M)	4.5	9	4.5
Golf (W)	6	9	3
Gymnastics (M)	6.3	20	13.7
Gymnastics (W)	12	20	8
Ice hockey (M)	18	26	8
Ice hockey (W)	18	26	8
Indoor Track & Field (M)	12.6	45	32.4
Indoor Track & Field (W)	18	45	27
Lacrosse (M)	12.6	48	35.4
Lacrosse (W)	12	38	26
Outdoor Track & Field (M)	12.6	45	32.4
Outdoor Track & Field (W)	18	45	27
Rifle	3.6	12	8.4
Rowing (W)	20	68	48
Rugby (W)	12	36	24
Skiing (M)	6.3	16	9.7
Skiing (W)	7	16	9
Soccer (M)	9.9	28	18.1
Soccer (W)	14	28	14
Softball (W)	12	25	13
Stunt (M/W)	14	65	51
Swimming & Diving (M)	9.9	30	20.1
Swimming & Diving (W)	14	30	16
Tennis (M)	4.5	10	5.5
Tennis (W)	8	10	2
Triathlon (W)	6.5	14	7.5
Volleyball (M)	4.5	18	13.5
Volleyball (W)	12	18	6
Water polo (M)	4.5	24	19.5
Water polo (W)	8	24	16
Wrestling (M)	9.9	30	20.1
Wrestling (W)	10	30	20

## EXHIBIT 1:

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## **APPENDIX A:**

### **CURRICULUM VITAE**

**RODNEY FORT**

January 16, 2025

#### ***PERSONAL***

Name: Rodney Douglas Fort

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#### ***EDUCATION***

B.S., Utah State University, Logan, Utah, 1978; environmental studies.

M.S., Montana State University, Bozeman, Montana, 1980; applied economics. Thesis:

"Determinants of Community Support for Rural Hospitals: Evidence from Voting on Hospital Referenda." June, 1980.

Ph.D., California Institute of Technology, Pasadena, California, 1985; social science.

Dissertation: "Theory and Practice in the Analysis of Commodity Futures Price Distributions." June, 1985.

#### ***EXPERIENCE***

Professor Emeritus of Sport Management, University of Michigan, Fall 2022-present.

Associate Dean for Faculty Affairs and Graduate Programs, School of Kinesiology, University of Michigan, Summer 2010-Summer 2012.

Graduate Program Committee Chair, School of Kinesiology, University of Michigan, Summer 2009-Summer 2010.

Professor of Sport Management, University of Michigan, Fall 2007-Winter 2022.

Professor of Economics, Washington State University, Fall 1997-Spring 2007.

Associate Professor of Economics, Washington State University, Fall 1990-Spring 1997.

Research Fellow, Washington State Institute for Public Policy, The Evergreen State College, Summer 1991.

Assistant Professor of Economics, Washington State University, Fall 1984-Spring 1989.

#### ***RESEARCH:***

***7 books, 78 refereed journal articles, and 66 other publications***

***Google Scholar: January 25, 2023. Citations: 6,995. h-index: 38. i10-index: 75.***

#### ***Books***

7. Fort, Rodney D. 2018. *Sports Economics Version 1.0*; iBooks and Kindle (Previous editions 1- 3, PrenticeHall).

6. Lee, Young Hoon, and Fort, Rodney. 2015. *The Sports Business in the Pacific Rim*. (Springer Verlag). 385 pages.
5. Fort, Rodney, and Winfree, Jason. 2013. *15 Sports Myths and Why They're Wrong*. (Stanford University Press). 299 pages.
4. Fort, Rodney, and Fizel, John. (eds.). 2004. *International Sports Economics Comparisons* (Praeger). 383 pages.
3. Fizel, John, and Fort, Rodney. (eds.). 2004. *Economics of College Sports* (Praeger). 262 pages.
2. Quirk, James, and Fort, Rodney D. 1999. *Hardball: The Abuse of Power in Pro Team Sports* (Princeton University Press). 233 pages. [Reprint excerpt: Scott R. Rosner and Kenneth L. Shropshire (eds.). 2011. *The Business of Sports* 2 ed. (Jones and Bartlett Publishers), pp. 8-11.]
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*Journal Articles and Other Publications: 77 refereed journal articles (R) and 66 other publications.*

*Journal Publication List*

1. *American Economic Review Papers and Proceedings.*
2. *American Journal of Agricultural Economics.*
3. *American Statistical Association Proceedings.*
4. *Annals of the American Academy of Political Science.*
5. *Antitrust Bulletin.*
6. *Applied Economics.*
7. *Contemporary Economic Policy.*
8. *Economic Inquiry.*
9. *Economics of Governance.*
10. *Environmental Professional.*
11. *Florida International University Law Review.*
12. *International Journal of Empirical Economics.*
13. *International Journal of Sport Finance.*
14. *Journal of Amateur Sport.*
15. *Journal of Business and Securities Law.*
16. *Journal of Economic Education.*
17. *Journal of Economic Literature.*
18. *Journal of Environmental Management.*
19. *Journal of Forensic Economics.*
20. *Journal of Intercollegiate Sport.*
21. *Journal of Law and Economics.*
22. *Journal of Legal Economics.*

23. *Journal of Political Economy*.
24. *Journal of Sports Economics*.
25. *Managerial and Decision Economics*.
26. *Marquette Sports Law Journal*.
27. *Papeles de Economia Española* (Spanish Economic Papers).
28. *Policy Review*.
29. *Policy Sciences*.
30. *Public Choice*.
31. *Review of Industrial Organization*.
32. *Scottish Journal of Political Economy*.
33. *Social Science Quarterly*.
34. *Sport & Entertainment Review*.
35. *University of Toledo Law Review*.

78 refereed journal articles (R) and 66 other publications

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137. Fort, Rodney. 2022. "Economical Sports Economics Classroom Activities." In Aju Fenn and Victor Matheson (eds.) *Teaching Sports Economics*. Northampton, MA: Edward Elgar Publishing, Inc., pp. 241-251.

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68. Fort, Rodney, and Lee, Young Hoon. 2006. "Stationarity and Major League Baseball Attendance Analysis." *Journal of Sports Economics* 7(No. 4 November):408-415. (R)
67. Fort, Rodney. 2005. "The Golden Anniversary of 'The Baseball Players' Labor Market.'" *Journal of Sports Economics* 6(No. 4 November):347-358. (R)

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65. Lee, Young Hoon, and Fort, Rodney. 2005. "Structural Change in Baseball's Competitive Balance: The Great Depression, Team Location, and Racial Integration." *Economic Inquiry* 43(No. 1 January):158-169. (R)
64. Fort, Rodney. 2004. "Dueling Answers? No, Different Questions." *Street & Smith's Sports Business Journal*, December 20, p. 26.
63. Fort, Rodney. 2004. "Economics of College Sports: An Overview." In John Fizel and Rodney Fort (eds.) *Economics of College Sports* (Westport, CT: Praeger Publishers), pp. 3-8.
62. Fort, Rodney. 2004. "Inelastic Sports Pricing." *Managerial and Decision Economics* 25(No. 2 March):87-94. (R)
61. Fort, Rodney. 2004. "Subsidies As Incentive Mechanisms in Sports." *Managerial and Decision Economics* 25(No. 2 March):95-102. (R)
60. Fort, Rodney. 2004. "Toto Salarial no Futebol." (Salary Caps and Soccer). *Esportebizz*, April, 2004. (Portugese)
59. Fort, Rodney, and Quirk, James. 2004. "Owner Objectives and Competitive Balance." *Journal of Sports Economics* 5(No. 1 February):30-42. (R)  
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58. Winfree, Jason A.; McCluskey, Jill J.; Mittelhammer, Ron C.; Fort, Rodney. 2004. "Location and Attendance in Major League Baseball." *Applied Economics* 36(No. 19 October 20): 2117-2124. (R)
57. Fort, Rodney. 2003. "The Economics of Football by Stephen Dobson and John Goddard." *Review of Industrial Organization* 22(No. 2 March):175-177.
56. Fort, Rodney. 2003. "Sports Stadium Subsidies Strike Out." *The Free Lance-Star*, March 2, 2003, pp. D1, D3, Fredericksburg, VA.
55. Fort, Rodney. 2003. "Thinking (Some More) about Competitive Balance." *Journal of Sports Economics* 4(No.4 November):280-283. (R)
54. Fort, Rodney, and Maxcy, Joel. 2003. "Comment: 'Competitive Balance in Sports Leagues: An Introduction.'" *Journal of Sports Economics* 4(No. 2 May 2003):154-160. (R)
53. Fort, Rodney. 2002. "The American Sports Experience." In Jörg Heydel and Heinz-Dieter Horsch (eds.) *Finanzierung des Sports: Beitrage des 2. Kolner Sportökonomie-Kongresses*, Edition Sportökonomie & Sportmanagement Band-Nr. 2 (Aachen, Germany: Meyer & Meyer Verlag), pp. 10-19.
52. Fort, Rodney. 2002. "Fair Ball- A Fan's Case for Baseball by Bob Costas: A Book Review." *Journal of Sports Economics* 3(No. 1 February):97-99.
51. Maxcy, Joel G.; Fort, Rodney D.; and Krautmann, Anthony C. 2002. "The Effectiveness of Incentive Mechanisms in Major League Baseball." *Journal of Sports Economics* 3(No. 3 August):246-255. (R)
50. Utt, Joshua, and Fort, Rodney. 2002. "Pitfalls to Measuring Competitive Balance with Gini Coefficients." *Journal of Sports Economics* 3(No. 4 November):367-373. (R)
49. Fort, Rodney. 2001. Revenue Disparity and Competitive Balance in Major League Baseball. In *Baseball's revenue gap : pennant for sale? : Hearing before the Subcommittee on*

- Antitrust, Business Rights, and Competition of the Committee on the Judiciary*, United States Senate, 106th Congress, 2nd Session, November 21, 2000. 2001, pp. 42-52.
48. Fort, Rodney, and Maxcy, Joel. 2001. "The Demise of African American Baseball Leagues: A Rival League Explanation." *Journal of Sports Economics* 2(No.1 February):35-49. (R) [[Larger original paper](#) on file at the Baseball Hall of Fame, Canton, Ohio:
  47. Fort, Rodney. 2000. "Antitrust in Pro Sports." In Paul D. Staudohar (ed.) *Diamond Mines: Baseball and Labor* (Syracuse, NY: Syracuse University Press), pp. 109-121.
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  45. Fort, Rodney. 2000. "Market Power in Pro Sports." In William Kern (ed.) *The Economics of Sports* (Kalamazoo, MI: W.E. Upjohn Institute for Employment Research), pp. 7-20.
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  40. Fort, Rodney, and Quirk, James. 1999. "The College Football Industry." In John Fizel, Elizabeth Gustafson and Lawrence Hadley (eds.) *Sports Economics: Current Research* (Westport, CT: Praeger Publishers), pp. 11-26.
  39. Fort, Rodney, and Rosenman, Robert. 1999. "Streak Management." In John Fizel, Elizabeth Gustafson and Lawrence Hadley (eds.) *Sports Economics: Current Research* (Westport, CT: Praeger Publishers), pp. 119-134.
  38. Fort, Rodney, and Bunn, Douglas. 1998. "Whether One Votes and How One Votes." *Public Choice*, 95(Nos. 1-2 April):51-62. (R)
  37. Fort, Rodney, and Rosenman, Robert. 1998. "Winning and Managing for Streaks in Baseball." *American Statistical Association, 1998 Proceedings of the Section on Statistics in Sports* (Alexandria, VA: American Statistical Association), pp. 11-15. (R)
  36. Fort, Rodney. 1997. "Direct Democracy and the Stadium Mess." In Roger G. Noll and Andrew Zimbalist (eds.) *Sports, Jobs, and Taxes: The Economic Impact of Sports Teams and Stadiums* (Washington, D.C.: The Brookings Institution), pp. 146-177.
  35. Fort, Rodney. 1997. "The Market Structure of Sports by Gerald Scully." *Annals of the American Academy of Political and Social Science* 550(March):198.
  34. Fort, Rodney. 1997. "The Stadium Mess." In Daniel Marburger (ed.) *Stee-rike Four: What's Wrong With The Business of Baseball* (Westport, CT: Greenwood Publishing Group, Inc.), pp. 146-177.
  33. Fort, Rodney, and Quirk, James. 1997. "Introducing a Competitive Economic Environment into Professional Sports." In Wallace Hendricks (ed.) *Advances in the Economics of Sports, Volume 2* (Greenwich, CT: JAI Press), pp. 3-26.
  32. Cardell, Scott; Fort, Rodney; Joerding, Wayne; Inaba, Fred; Lamoreaux, David; Rosenman, Robert; Stromsdorfer, Ernst W.; Bartlett, Robin. 1996. "Laboratory-Based Experimental and Demonstration Initiatives in Teaching Undergraduate Economics." *American Economic Review Papers and Proceedings* 86(No. 2 May):454-459. (R)

31. Fort, Rodney, and Quirk, James. 1996. "Over-stated Exploitation: Monopsony versus Revenue Sharing in Sports Leagues." In John Fizel, Elizabeth Gustafson and Lawrence Hadley (eds.) *Baseball Economics: Current Issues* (Westport, CT: Praeger Publishers), pp. 159-178.
30. Fort, Rodney. 1995. "A Recursive Treatment of the Hurdles to Voting." *Public Choice* 85(Nos. 1-2 October): 45-69. (R)
29. Fort, Rodney, and Quirk, James. 1995. "Cross-Subsidization, Incentives, and Outcomes in Professional Team Sports Leagues." *Journal of Economic Literature* XXXIII(September):1265-1299 . (R)
- [Reprint: Andrew Zimbalist (ed.). 2001. *The International Library of Critical Writings in Economics: The Economics of Sport, Vol. 1* (Northampton, MA: Edward Elgar Publishing, Inc.), pp. 117-151.]
28. Fort, Rodney, and Rosenman, Robert. 1995. "Rethinking the Value of Lost Health." *Journal of Legal Economics* 5(No. 1 Spring/Summer):63-73. (R)
27. Stegner, Tesa, and Fort, Rodney. 1995. "Congressional Dominance (?) in the Policy Process: The Case of the U.S. Forest Service." *Social Science Quarterly* 76(No. 4 December):839-852. (R)
26. Fort, Rodney. 1994. "The Decline of Nuclear Power in the United States: Inherent v. Economic Anti-Nuclear Sentiment." In Thomas Lowinger and George Hinman (eds.), *Nuclear Power at the Crossroads: Challenges and Prospects for the Twenty-First Century* (Boulder, CO: International Research Center for Energy and Economic Development), pp. 165-189.
25. Fort, Rodney, and Hallagan, William. 1994. "Nuclear Power in the United States and Japan: Economic versus Political Explanations." In Thomas Lowinger and George Hinman (eds.), *Nuclear Power at the Crossroads: Challenges and Prospects for the Twenty-First Century* (Boulder, CO: International Research Center for Energy and Economic Development), pp. 191-218.
24. Fort, Rodney; Rosenman, Robert; and Budd, William. 1994. "The Facilitation of Nuclear Siting: Compensation Lessons from Japan." In Thomas Lowinger and George Hinman (eds.), *Nuclear Power at the Crossroads: Challenges and Prospects for the Twenty-First Century* (Boulder, CO: International Research Center for Energy and Economic Development), pp. 151-164.
23. Fort, Rodney. 1993. "Do Greedy Owners, Greedy Players Threaten The Future of Baseball?" *HillTopics*, April-June, p. 7, Washington State University, Pullman, WA.
22. Fort, Rodney. 1993. "Host Community Benefits." In William Eblen and Ruth Eblen (eds.) *The Encyclopedia of the Environment* (Boston, MA: Houghton Mifflin Co.). 4 pages.
21. Fort, Rodney; Hallagan, William; Morong, Cyril; and Stegner, Tesa. 1993. "The Ideological Component of Senate Voting: Different Principles or Different Principals?" *Public Choice* 76(Nos. 1-2 June):39-57. (R)
20. Fort, Rodney, and Rosenman, Robert. 1993. "Another Look at the Study of Regulatory Forms and Outcomes." *Journal of Economic Education* 24(No. 1 Winter):39-52. (R)
19. Fort, Rodney; Rosenman, Robert; and Budd, William. 1993. "Prospect Costs and NIMBY." *Journal of Environmental Management* 38(No. 3 July):185-200. (R)
18. Fort, Rodney, and Scarlett, Lynn. 1993. "Too Little Too Late? Host-Community Benefits and Siting Solid Waste Facilities." Policy Study No. 157, The Reason Foundation, Santa Monica, California, April. 34 pages.



17. Fort, Rodney. 1992. "Commodity Futures." In Peter Newman, Murray Milgate, and John Eatwell (eds.) *The New Palgrave Dictionary of Money and Finance* (London: The Macmillan Press Ltd.). 4 pages.
  16. Fort, Rodney. 1992. "A Pay and Performance Omnibus: Is the Field of Dreams Barren?" In Paul Sommers (ed.), *Diamonds are Forever: The Business of Baseball* (Washington, D.C.: The Brookings Institution), pp. 134-162.
  15. Rosenman, Robert, and Fort, Rodney. 1992. "The Correct Value of Social Security Contributions in Personal Injury and Wrongful Death Settlements." *Journal of Forensic Economics* 5(No. 2 Spring/Summer):149-158. (R)
  14. Budd, William; Fort, Rodney; Rosenman, Robert. 1990. "Risk Externalities, Compensation, and Nuclear Siting in Japan." *The Environmental Professional* 12(October):208-213. (R)
  13. Fort, Rodney; Hinman, George; Rosenman, Robert; Wandschneider, Philip. 1990. "Radon: Residential Attitudes toward the Risk." *Proceedings of the 1990 Summer Study on Energy Efficiency in Buildings* (August 26-September 1), American Council for an Energy Efficient Economy, pp. 4.1-4.9. (R)
  12. Rosenman, Robert, and Fort, Rodney. 1990. "Hospital Planners Aren't Asking Right Questions." *Daily News*, March 24, pp. 1C, 3C, Pullman, WA.
  11. Fort, Rodney; Hallagan, William; and Rosenman, Robert. 1989. "Market Power, Cost-Shifting, and the Provision of Medical Services in Spokane, Washington." *Proceedings of the 23rd Annual Pacific Northwest Regional Economic Conference*, pp. 197-205.
  10. Fort, Rodney; Rosenman, Robert; and Budd, William. 1989. "Address Problem At Its Source." *Ritzville Adams County Journal*, August 31, pp. 2, 4. Ritzville, WA.
  9. Fort, Rodney; Rosenman, Robert; and Budd, William. 1989. "Real Cost of Hazardous Waste is Viewed." *The Outlook*, September 6, pp. 2, 4. Othello, WA.
  8. Fort, Rodney. 1988. "The Median Voter, Setters, and Nonrepeated Construction Bond Issues." *Public Choice* 56(No. 3 March): 213-231. (R)
  7. Fort, Rodney, and Quirk, James. 1988. "Normal Backwardation and the Inventory Effect." *Journal of Political Economy* 96(No. 1 February): 81-99. (R)
  6. Rosenman, Robert; Fort, Rodney; and Budd, William. 1988. "Evaluating Some 'Hidden' Costs of a High Level Nuclear Waste Repository." *AERE Newsletter* 8(No. 1 June): 5-7.
  5. Rosenman, Robert, Fort, Rodney; and Budd, William. 1988. "Perceptions, Fear and Economic Loss: An Application of Prospect Theory to Environmental Decision Making." *Policy Sciences* 21(No. 4 December):327-350. (R)
  4. Fort, Rodney, and Hallagan, William. 1987. "Who Bids the Most for Market Power?" *Economic Inquiry* 25(No. 4 October): 671-680. (R)
  3. Fort, Rodney, and Christianson, Jon B. 1981. "Determinants of Public Service Provision in Rural Communities: Evidence from Voting on Hospital Referenda." *American Journal of Agricultural Economics* 63(No. 2 May): 228-236. (R)
  2. Baden, John; Simmons, Randy; and Fort, Rodney. 1980. "Environmentalists and Self-Interest: How Pure Are Those Who Desire the Pristine?" In John Baden (ed.), *Earth Day Reconsidered* (Washington, D.C.: The Heritage Foundation). 17 pages.
  1. Baden, John, and Fort, Rodney. 1980. "Natural Resources and Bureaucratic Predators." *Policy Review* (Winter): 69-81. (R)
- [Reprint versions: Baden, John, and Fort, Rodney. 1980. "The Federal Budget as a Common Pool Resource: The Development of a Predatory Bureaucracy." In John Baden (ed.), *Earth Day Reconsidered* (Washington, D.C.: The Heritage Foundation), pp. 95-104. Reprinted

version: Fort, Rodney, and Baden, John. 1981. "The Federal Treasury as a Common Pool Resource and the Development of a Predatory Bureaucracy." In John Baden and Richard Stroup (eds.), *Bureaucracy vs. Environment, The Environmental Costs of Bureaucratic Governance* (Ann Arbor: The University of Michigan Press), pp. 9-21.]

External Grants/Contracts: \$579,381

7. National Research Foundation (Korea), 2016 (Studies Informing Sustainable Growth of Korean Sports Industry) with Young Hoon Lee. \$298,038.
6. National Research Foundation (Korea), 2009 (Moving Korean Professional Sports Leagues Toward Profitability: A Comparative Study in Korea and the U.S.) with Young Hoon Lee. \$124,000.
5. Washington Institute for Mental Health Research and Training, 1992 (Benefit Cost Analysis of Crisis Respite Care at the Spokane Community Mental Health Center) with Robert Rosenman. \$14,850.
4. Washington Institute for Public Policy Studies, 1991 (Benefit Cost Analysis and The Community Protection Act). \$15,252.
3. Japan-U.S. Commission and the JEC Fund, 1988-9 (Risk and Safety in U.S. and Japanese Nuclear Power) with George Hinman and Thomas Lowinger. \$100,000.
2. Washington State Institute for Public Policy Studies, 1986 (Risk of Economic Loss Due to Failure or Perceived Failure of A High-Level Nuclear Waste Repository) with Robert Rosenman and William Budd. \$5,000.
1. Center for the Study of Futures Markets, 1984 (Commodity Futures Price Distributions and the Theory of Futures Trading). \$4,000.

Internal Grants/Contracts: \$72,241

10. University of Michigan Rackham Graduate School, Spring/Summer Research Program, 2011 (Competitive Balance Measures in College Sports). \$6,000.
9. College of Business and Economics, Washington State University, 2004. (Inventing Principles of Microeconomics exclusively for distance learning). \$5,000.
8. College of Business and Economics, Washington State University, 2003. (Innovative Teaching Grant: Integrating sports business simulations into the classroom). \$5,000.
7. Washington State University Office of the Technology Provost, 1997 (Virtual WSU for Economics Principles Classes) with Wayne Joerding and Robert Rosenman. \$25,000.
6. Washington State University College of Business and Economics, 1995 (Multimedia Development Summer Grant), with Wayne Joerding. \$15,000.
5. Washington State University Summer Session Office, 1994 (New Course: Sports in American Society). \$1,834.
4. Washington State University Washington State University Office of Grants and Research Development, 1990 (Collection and Analysis of Health Care Data for Spokane, WA). \$3,000.
3. Washington State University Office of Grants and Research Development, 1988 (The Theory of The Price of Storage, Continued). \$7,241.
2. Washington State University Office of Grants and Research Development, 1988 (Determinants of the Support for Nuclear Power in the U.S.). \$3,000.

1. Washington State University Office of Grants and Research Development, 1987 (The Theory of The Price of Storage). \$3,000.
- Keynotes/Invited Panelist/Invited Conference
34. Intercollegiate Athletics Finance. Invited Panelist. Intercollegiate Athletics Conference. Katz Law School- Center for Sports and Society. Pennsylvania State University, October 17, 2019.
  33. Antitrust in Sports. Invited Panelist. The Global Antitrust Economics Conference. Concurrence-Stern School of Business, New York University, May 31, 2019.
  32. "Modeling Self-Regulation in College Sports: Assessing Competitive Balance Impacts." Invited Conference. The NCAA Cartel Symposium. Robert F. Lanzillotti Public Policy Research Center, University of Florida. February 24, 2017.
  31. "Amateurism, Economics, Employment and Pay within Collegiate Athletics." Panelist. The Changing Landscape of Collegiate Athletics: Legal and Business Issues. National Sports Law Institute, Marquette University Law School, October 21, 2016.
  30. "The Future of Sports Economics." Keynote. 2nd Annual Sports Economics Summer Workshop. University College Cork, Cork, Ireland. July 23, 2016.
  29. "NCAA Antitrust Exemption? A 'Back to Basics' Overview." Panelist. Pay for Play: Unionization and the Business of the NCAA. Michigan State University Law School, March 20, 2015.
  28. "What Can We Know about Athletic Department Revenues and Expenses?" Panelist. The Value of College Sport. LSA Theme Semester Conference. University of Michigan, November 14, 2014.
  27. "Observations of an Old(er) Brand New Professor of Sport Management." Keynote. 26th Stanley Lecture, College of Health & Human Performance, University of Florida, Gainesville, Florida, March 23, 2011.
  26. "Sustainability of FBS Football Programs." Invited Conference. Ross School of Business/Phi Chi Theta 7th Annual Economic Symposium, *Sports and the Economy*. Conference. University of Michigan. November 14, 2011.
  25. "Major League Baseball Attendance Time Series: League Policy Lessons." Invited Conference. VI Congreso Economía del Deporte, "Sports and Econometrics." Laboral. Paraninfo Facultad de Comercio, Turismo y Ciencias Sociales Jovellanos, Oviedo University, Gijon, Spain, May 6-7 2011.
  24. "Where Is the Arms Race? A Principal-Agent Perspective on Collegiate Sports Spending." Panelist. The Increasing Regulation of Sports in a Declining Economic Environment. National Sports Law Institute, Marquette University Law School, October 22, 2010.
  23. "An Economic Look at the Sustainability of FBS Athletic Departments." Keynote. Scholarly Colloquium on College Sports, Annual Convention of the NCAA, Atlanta, January 12, 2010.
  - "Tradeoffs and Professional Sports Subsidies." Smith Center for Private Enterprise Studies, California State University, East Bay, Hayward, California, April 23, 2008.
  22. "Baseball Economics." Roundtable. BizOfBaseball.com; May 3, 2007.
  21. "The Evolving Face of Sports Economics." Invited Conference. Conference in Honor of the Retirement of Roger Noll, Stanford Institute for Policy Research, Stanford University, May 19-20, 2006.
  20. "Sporting Choices-- Is Investing in Sports A Good Bet?" Panelist. CityClub of Seattle Forum, Seattle, Washington, June 22, 2006.

19. "Talent Market Models in North American and World Leagues." Invited Conference. I Congresso Economia del Deporte, Sports Economics after Fifty Years: Conference in Honour of Simon Rottenberg, Oviedo University, Gijon, Spain, April 28-29, 2006.
18. "How I Teach Sports Economics." Invited Conference. An Inside Look At Economics Conference, Pearson/Prentice Hall Publishers, Fullerton, California, November 4, 2005.
17. "Face Off: 2004 Hockey Negotiations." Panelist. Canadian Broadcasting Corporation, Hockey Night in Canada, Hosted by Ron MacLean. 90 minute Canada/U.S. Broadcast from the NHL All-Star Game in St. Paul, MN, February 7, 2004.
16. "The Value of MLB Ownership." Keynote. Olympia Economists Club, Olympia, Washington, December 9, 2004.
15. "The Value of MLB Ownership." Keynote. Seattle Economists Club, Seattle, Washington, December 9, 2004.
14. "Competitive Balance." Panelist. Invited Conference. Baseball Economics Conference, Vanderbilt University College of Arts and Science, Vanderbilt University Law School and the Owen Graduate School of Management, February 21, 2003.
13. "Lessons from the U.S. Sports Experience." Invited Conference. First Brazilian Sports and Marketing Conference, Rio De Janeiro, November, 2003.
12. "Contraction and Competitive Balance in Major League Baseball." Keynote. Third Annual Economics of Sports Conference, Fox School of Business and Management, Temple University, February 27, 2002.
11. "Revenue Sharing in Baseball." Invited Conference. The Economics of Baseball Forum, The Weidenbaum Center, Washington University, St. Louis, Missouri, May 29, 2001.
10. "Cash and Competition: The Economics of Sport." Panelist. Education for Public Inquiry and International Citizenship (EPIIC), Tufts University, Medford, Massachusetts, February 9-13, 2000.
9. "Revenue Disparity and Competitive Balance in Major League Baseball." Panelist. Hearing before the Subcommittee on Antitrust, Business Rights, and Competition of the Committee on the Judiciary, United States Senate, 106th Congress, 2nd Session, November 21, 2000.
8. "Market Power in Pro Sports and What To Do About It." Panelist. Pro Team Sports: Are Politics and Corruption Winning? The Independent Institute, Oakland, California, March 7, 2000.
7. "The North American Pro Sports Experience: A Preview for Europe?" Keynote. Second Sports Economics Congress (Financing Sport), Institute for Sports Economics and Business and Sports Management, The German Sports Academy, Cologne, Germany, November 30, 2000.
6. "Winning and Managing for Streaks." Invited Conference. Special Sports Statistics Session, National Meetings of the American Statistical Society, Dallas, Texas, 1998.
5. "Competition and Cross-Subsidies in U.S. Pro Sports." Invited Conference. Congress: The Regulation of the Player Market in Professional Team Sports, International Center for Sports Studies, Neuchatel, Switzerland, October 17-18, 1997.
4. "The History of the Kingdome and the Stadium Mess." First Hill Lecture, Washington State Historical Society, Tacoma, Washington, 1997.
3. "The Economics of Public Stadiums." Invited Conference. Economic Impacts of Sports, The Brookings Institution, Washington, D.C., October 7-8, 1996.
2. "Player-Management Relations in Professional Team Sports." Panelist. National Meetings of the Southern Economic Association, New Orleans, Louisiana, 1995.



1. "Diamonds Are Forever: The Business of Baseball." Invited Conference. Thirteenth Annual Middlebury College Conference on Economic Issues, Middlebury, Vermont, 1991.

#### Invited Presentations

31. "An Economist Looks at NCAA Infractions Enforcement." University Open Lecture. Otterbein University, February 21, 2019.
30. "The Limits of the Economics of Race in Sports with an Application to African American Baseball." Economics Department Seminar, Otterbein University, February 21, 2019.
29. "Monetary Costs of Concussion." Department of Economics, University of Wisconsin-LaCrosse, October 14, 2016.
28. "Winning in Baseball and Soccer: Historical Moments." Department of Economics and Finance, University of Guelph (Ontario, CA), April 1, 2016.
27. "15 Sports Myths and Why They Are Wrong." Samuel M. Levin Lecture, College of Liberal Arts and Sciences, Wayne State University, April 18, 2014.
26. "Modeling College Conferences." Department of Economics and Finance, Mississippi State University, November 15, 2013.
25. "College and Pro Sports Myths." (Open Lecture) Department of Economics, Wittenberg University, Springfield, Ohio, October 25, 2012.
24. "Data Diving: College Sports Finance Issues." (Economics Department Seminar) Department of Economics, Wittenberg University, Springfield, Ohio, October 25, 2012.
23. "The Professionalization of Korean Baseball." Department of Sport Management, Seoul National University, Seoul, Korea, April 14, 2011.
22. "Asians in Major League Baseball." School of Business, Sogang University, Seoul, Korea, April 13, 2011.
21. "The Logic of Owner Lockouts." John Molson School of Business, Concordia University, Montreal, Quebec, Canada, November 19, 2009.
20. "Public Goods and Sports Subsidies: The U.S. Case." Institut für Strategie und Unternehmensökonomik, University of Zurich, Switzerland, November 25, 2008.
19. "The Political Economy of Professional Sports Malls." Clifford Lewis Lecture, Department of Kinesiology, University of Georgia, Athens, Georgia, April 3, 2008.
18. "The Contest Success Function, Marginal Product, and Marginal Revenue in Pro Sports Leagues." Department of Economics. Wayne State University, Detroit, Michigan, November 15, 2007.
17. "Choosing Competitive Balance Remedies." Warsaw Center for Sports Marketing, University of Oregon, Eugene, Oregon, April 13, 2007.
16. "Race and Firing of NBA Coaches." Division of Kinesiology, University of Michigan, Ann Arbor, Michigan, January 19, 2006.
15. "Race and Firing of NBA Coaches." Division of Sport Management, Texas A&M University, College Station, Texas, October 27, 2006.
14. "The NHL Lockout: Why the Owners Are Winning Big." MBA in Sport Management Program, San Diego State University, San Diego, California, August 1, 2005.
13. "Talent Choice in U.S. Pro Sports Leagues: A Rottenberg-Coase Perspective." Sport Management Group, University of Michigan, November, 2004.
12. "Talent Choice in U.S. Pro Sports Leagues: A Rottenberg-Coase Perspective." Department of Economics, Texas Christian University, March, 2004.

11. "The Competitive Position of WSU Athletics." Tri-Cities Rotary Club, Pasco, Washington, November 8, 2000.
10. "Sports Teams and Sports Policy: The Winning Percent Maximizing League." Economics Department, University of Antwerp, Belgium, December 1, 2000.
9. "The Pro Sports Culprit- Market Power and What Can Be Done About It?" Emerald City Rotary Club at the Washington Athletic Club, Seattle, Washington, March 28, 2000.
8. "The Pro Sports Culprit- Market Power and What Can Be Done About It?" Bellevue Athletics Club, Bellevue, Washington, March 28, 2000.
7. "The Inverse Relationship between Subsidies and Pricing Choices by Sports Teams." Department of Economics, Clemson University, Clemson, South Carolina, 1999.
6. "Pro Sports Problems: Causes and Solutions." 35th Annual Economics Lecture, Western Michigan University, Kalamazoo, Michigan, 1998.
5. "Benefit-Cost Analysis and Adult Sex Offender Sentencing Alternatives." Research Findings from the Community Protection Research Project: The First Year, Washington State Institute for Public Policy forum, Seattle, Washington, 1991.
4. "Referendum Voting and the Determinants of Support for Nuclear Power in the United States." Department of Economics, University of California, Irvine, 1989.
3. "Referendum Voting and the Determinants of Support for Nuclear Power in the United States." Department of Political Science, University of California, San Diego, 1989.
2. "A Simple Model of Representative Bureaucracy's Public Provision Choices." Department of Agricultural Economics and Economics, Montana State University, 1988.
1. "Theories of Regulation and the U.S. Forest Service." Regulation and Public Policy Workshop, School of Business, Stanford University, 1985.

#### Other Presentations

55. "Modeling Injury Costs with An Application to Concussions in Major League Baseball." Western Economic Association, Vancouver, BC, June 2018.
54. "The Structure of NCAA Amateur Requirement Enforcement." Western Economic Association, San Diego, California, June, 2017.
53. "College Sports Antitrust 'Beliefs': Applied Theory and the Rule of Reason." Western Economics Association, Portland, Oregon, July, 2016.
52. "The Yankees Do Not Write a Check o the Marlins: Revenue Sharing and Player Pay." Southern Economic Association, New Orleans, Louisiana, November, 2015.
51. "What Can We Know about College Sports Financial Data?" Southern Economic Association, Atlanta, Georgia, November, 2014.
50. "Just Looking for A Good Game: Competitive Balance in the Korean Professional Baseball League." European Sports Economics Association, Antwerp, Belgium, September, 2014.
49. "Revenue Maximization in a College Conference." Southern Economic Association, Tampa, Florida, November, 2013.
48. "League Level Attendance and Outocme Uncertainty in the NBA, NFL, and NHL." Western Economic Association, San Diego, California, July, 2011.
47. "Collegiate Athletic Spending: Arms Race or Principals and Agents?" Western Economic Association, Portland, Oregon, July, 2010.

46. "Competitive Balance: Time Series Lessons from the English Premiere League." Western Economic Association, Vancouver, Canada, July, 2009.
45. "Tax Policy and the Value of Sports Team Ownership." North American Society for Sport Management, Toronto, Canada, May, 2008.
44. "Talent Supply, the Contest Success Function, and the Invariance Principle." International Association of Sports Economists Annual Meeting, Gijon, Spain, May, 2008.
43. "Competitive Balance in Sports Leagues: When Is More Preferred to Less?" Western Economic Association, Seattle, WA, 2007.
42. "Dynasties and Rottenberg's Uncertainty of Outcome Hypothesis: The Case of MLB." Western Economic Association, Seattle, WA, 2007.
41. "Choosing Competitive Balance Remedies." International Association of Sports Economists Annual Meeting, Dayton, Ohio, May, 2007.
40. "The Competitive Talent Model: Rational Expectations and Pro Sports Leagues." Western Economic Association, San Diego, CA, 2006.
39. "Compliance Requirements in MLB Revenue Sharing." Western Economic Association, San Diego, CA, 2006.
38. "Structural Change, Competitive Balance, and the Rest of the Major Leagues." Western Economic Association, San Francisco, CA, 2005.
37. "The Value of Major League Baseball Ownership." Western Economic Association, San Francisco, CA, 2005.
36. "The Optimal Level of Competitive Balance in U.S. Pro Sports Leagues." Western Economic Association, Vancouver, BC, 2004.
35. "Time Series Behavior of MLB Attendance: Structural Change and the Uncertainty of Outcome Hypothesis." Western Economic Association, Vancouver, BC, 2004.
34. "A Rottenberg/Coase Examination of Sports Policy Prescriptions." Western Economic Association, Denver, CO, 2003.
33. "Time Series Analysis of Structural Change: Competitive Balance in Major League Baseball." Western Economic Association, Seattle, WA, 2002.
32. "Vertical Integration in Major League Baseball." Western Economic Association, Seattle, WA, 2002.
31. "Sports Policy Prescriptions." International Association of Sports Economists, New York, NY, 2002.
30. "Attendance and Uncertainty of Outcome in Major League Baseball." Western Economic Association, San Francisco, CA, 2001.
29. "Punitive Sports Subsidies." Western Economic Association, San Francisco, CA, 2001.
28. "Revenues, Payrolls and Competitive Balance in Major League Baseball." Western Economic Association, San Francisco, CA, 2001.
27. "The Demise of African-American Baseball Leagues." Western Economic Association, Vancouver, BC, 2000.
26. "Punitive Subsidies." Western Economic Association, Vancouver, BC, 2000.
25. "Profit Maximization with Marginal Revenue Less Than Zero." Western Economic Association, San Diego, California, 1999.
24. "Last Period Problems in Sports." Western Economic Association, Lake Tahoe, Nevada, 1998.
23. "Race Assessment in Memorabilia Markets." Western Economic Association, Lake Tahoe, Nevada, 1998.

22. "The College Football Industry." Western Economics Association, Seattle, Washington, 1997.
21. "Introducing a Competitive Environment into Professional Sports." Western Economics Association, San Francisco, California, 1996.
20. "Profit Maximization with Marginal Revenue Less Than Zero." Western Economics Association, San Francisco, California, 1996.
19. "Monopsony versus Revenue Sharing in Sports Leagues." Western Economics Association, San Diego, California, 1995.
18. "Race in Economics: Perceptions and Measurement." Western Economics Association, San Diego, California, 1995.
17. "Voting Against Nuclear Power." Western Economics Association, San Diego, California, 1995.
16. "A Voting Analysis of Anti-Nuclear Sentiment." Public Choice Society, New Orleans, Louisiana, 1992.
15. "You've Always Got Choices, But. . . : Public Provision Efficiency and Firm Self-Selection." Western Economic Association, Seattle, Washington, 1991.
14. "Participation Hurdles and the Analysis of Nuclear Power Referenda." Western Economic Association, Seattle, Washington, 1991.
13. "As Easy as Rolling Off A Log: A Recursive Treatment of the Hurdles to Voting." Public Choice Society, New Orleans, Louisiana, 1991.
12. "Prospect Costs and NIMBY." Western Economics Association, San Diego, California, 1990.
11. "Alarms, Oversight, and the Structure of Bureaucracy." Public Choice Society, Tucson, Arizona, 1990.
10. "Are Senators Principled Agents?" Public Choice Society, Tucson, Arizona, 1990.
9. "Theories of Regulation and the U.S. Forest Service." Public Choice Society, Orlando, Florida, 1989.
8. "Referendum Voting and the Determinants of Support for Nuclear Power in the United States." Public Choice Society, Orlando, Florida, 1989.
7. "The Ideological Component of Senate Voting: Different Principles or Different Principals?" Public Choice Society, Orlando, Florida, 1989.
6. "Referendum Voting and the Determinants of Support for Nuclear Power in the United States." Association for Public Policy Analysis and Management, Seattle, Washington, 1988.
5. "Theories of Regulation and the U.S. Forest Service." Public Choice Society, San Francisco, California, 1988.
4. "Lessons from a More Complete Morphology of Regulation." American Political Science Association, Chicago, Illinois, 1987.
3. "A Simple Model of Representative Bureaucracy's Public Provision Choices." Public Choice Society, Tucson, Arizona, 1987.
2. "Pay and Performance in Professional Baseball: Modeling Expansion." Southwest Social Science Association Meetings, Houston, Texas, 1983.
1. "Hospital Provision by Referenda." Public Choice Society, San Francisco, California, 1980.

Other Research Activities

4. "Benefit Cost Analysis of Crisis Respite Care at the Spokane Community Mental Health Center," The Washington Institute for Mental Health Research and Training, Summer, 1992.
3. "Benefit Cost Analysis and the Community Protection Act," Washington Institute for Public Policy Studies, Summer, 1991.
2. "Risk of Economic Loss Due to Failure or Perceived Failure of A High-Level Nuclear Waste Repository," with William Budd and Robert Rosenman, Washington State Institute for Public Policy Studies, July, 1986.
1. Research Associate, Center for the Study of Futures Markets, Columbia University (New York), 1984-1986.

### ***SERVICE***

Editorial Boards/Guest Editor

Boards:

1. *Eastern Economic Journal* (ended 2012).
2. *Economics Open*.
3. *International Journal of Empirical Economics*.
4. *International Journal of Sport Finance* (ended 2022).
5. *Journal of Intercollegiate Sport* (ended 2023).
6. *Journal of Sports Economics*.
7. *Managerial and Decision Economics*.

Guest Editor:

1. *Journal of Sports Economics*, 2010, 11(No. 1 February): Special Issue on the Challenges of Working with Sports Data.

Refereeing: Journal List

1. *American Economic Review*.
2. *Contemporary Economic Policy*.
3. *Eastern Economic Journal*.
4. *Economic Inquiry*.
5. *Economic Journal*.
6. *Economics Letters*.
7. *Economics of Education Review*.
8. *Environmental Professional*.
9. *European Economic Review*.
10. *European Journal for Sport and Society*.
11. *European Sport Management Quarterly*.
12. *Industrial & Labor Relations Review*.
13. *Industrial Relations*.
14. *International Journal of Industrial Organization*.
15. *International Journal of Sport Finance*.

16. *International Journal of Sport Management and Marketing*.
17. *International Review of Law and Economics*.
18. *Journal of Economic Education*.
19. *Journal of Economics and Business*.
20. *Journal of Higher Education*.
21. *Journal of Intercollegiate Sport*.
22. *Journal of Law & Economics*.
23. *Journal of Law, Economics, and Organization*.
24. *Journal of Legal Studies*.
25. *Journal of Policy Analysis and Management*.
26. *Journal of Regional Science*.
27. *Journal of Regulatory Economics*.
28. *Journal of Sport History*.
29. *Journal of Sport Management*.
30. *Journal of Sports Economics*.
31. *Journal of the Royal Statistical Society*.
32. *Labour Economics*.
33. *Managerial and Decision Economics*.
34. *New Zealand Economic Papers*.
35. *Policy Sciences*.
36. *Public Choice*.
37. *Public Finance Quarterly*.
38. *RAND Journal of Economics*.
39. *Review of Economics and Statistics*.
40. *Review of Industrial Organization*.
41. *Scottish Journal of Political Economy*.
42. *Social Science Journal*.
43. *Social Science Quarterly*.
44. *Sociological Inquiry*.
45. *Southern Economic Journal*.
46. *Sport Management Review*.

#### Grant Review Panels

2. National Science Foundation.
1. Social Sciences and Humanities Research Council of Canada.

#### Advisory Boards/Association Offices/Committees

6. Advisory Board, NCAA Scholarly Forum, National Collegiate Athletic Association. Winter 2009-Winter 2012.
5. Scientific Committee Member, Fundacion Observatorio Economico del Deporte, Oviedo University, Gijon, Spain. Summer 2008-present.
4. Vice President, International Association of Sports Economists, Limoges, France. Summer 2002-present.
3. Board of Associates, International Institute for the Study of Sports Management (IISSM), University of Alberta, Edmonton, Alberta, Canada. Fall 2002-2006.



2. Simulations Development Advisory Board. Sports Business Simulations, Zenophon Abraham, CEO. Oakland, CA. March, 2005-2007.
1. Committee Member, Washington State Rural Hospital Advisory Committee, 1986-1990.

#### Government Testimony/Court Briefs

13. *Supreme Court of the United States*. On Petition for a Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit, Brief of Amici Curiae Sports Economists in Support of Petitioner and In re: City of Oakland v. Oakland Raiders et. al. Case No. 21-1243. April 13, 2022.
12. *Supreme Court of the United States*. Amicus Curiae Brief of Economists in Support of Petitioner and In Re; National Collegiate Athletic Association v. Shawne Alston, et al., American Athletic Conference, et al., v. Shawne Alston, et al. Case Nos. 20-512, 20-520. March 10, 2021.
11. *United States Court of appeals for the Ninth Circuit*. Brief of Amici Curiae Economists and Professors in Support of Plaintiffs-Appellees and In Re: Karen Stromberg, et all., v. Qualcomm Incorporated. Case No. 19-15159. August 10, 2019
10. *United States Court of appeals for the Ninth Circuit*. Brief of Amici Curiae Economists in Support of Plaintiffs-Appellants and In Support of Reversal. In Re National Football League's "Sunday Ticket Antitrust Litigation. Case No. 17-56119. January 18, 2018.
9. *Federal Communications Commission*. Reply Comments of Sports Fans Coalition, Inc. In the Matter of Sports Blackout Rules. MB Docket No. 12-3. March 25, 2014.
8. *Federal Communications Commission*. Response of Sports Economists on Declaration of Hal J. Singer. In the Matter of Petition for Rulemaking to Eliminate the Sports Blackout Rule. MB Docket No. 12-3. February 20, 2014.
7. *Federal Communications Commission*. Comments of Sports Economists on the FCC's Sports Blackout Rules. In the Matter of Petition for Rulemaking to Eliminate the Sports Blackout Rule. MB Docket No. 12-3. February 20, 2012.
6. *Supreme Court of the United States*. Amicus Curiae Brief of Economists in Support of Petitioner. American Needle, Inc. (Petitioner) v. National Football League, et. al. (Respondent). Case No. 08-661. September 24, 2009.
5. *New Zealand Commerce Commission*. Salary cap impacts in New Zealand Rugby Union. 2006.
4. *U.S. Senate, Subcommittee on Antitrust*, Washington, D.C. The state of competitive balance in Major League Baseball. 2000.
3. *Governor's Committee on Sex Offender Treatment*, Seattle, WA. Sex offender sentencing alternatives. 1991.
2. *Washington State Ecological Commission*, Seattle, WA. Impacts of the ECOS hazardous waste incinerator. 1987.
1. *Washington State Legislature Subcommittee*. Spokane, WA. Siting a high-level nuclear waste repository. 1986.

#### ***SPECIAL RECOGNITION***

#### Honors

7. 26th Stanley Lecture, College of Health & Human Performance, University of Florida, 2011.
6. Annual Clifford Lewis Lecture, Department of Kinesiology, University of Georgia, 2008.
5. Society for American Baseball Research, nomination for the Seymour Medal, *Hardball: The Abuse of Power in Pro Team Sports*, 2000.
4. 35th Annual Economics Seminar Series Lecture, Department of Economics, Western Michigan University, 1998.
3. First Annual Curtiss Hill Lecture, Washington State Historical Society, 1997.
2. Princeton University Press, nomination to the Pulitzer Prize Committee, *Pay Dirt: The Business of Professional Team Sports*, 1992.
1. Eleventh Annual Invited Honors Lecture, Washington State University Honors Program, 1990.

#### Awards

4. University of Michigan Golden Apple Nominee. 2020.
3. Excellence in Refereeing Award, *American Economic Review*, 2009 [Award notification March 10, 2010.]
2. Pacific Northwest Bell Distinguished Faculty Award, Pacific Northwest Bell , 1988. Washington State University.
1. Shell Undergraduate Teaching Excellence Award, Shell Companies Foundation, Inc., 1985. Washington State University.



## **APPENDIX B:**

### **CURRICULUM VITAE ROGER G. NOLL**

#### **PERSONAL**

Date and Place of Birth: March 13, 1940, Monterey Park, California

#### **EDUCATION**

East High School, Salt Lake City, Utah, 1958

B.S. (Math, Honors), California Institute of Technology, 1962

A.M., Ph.D. (Economics), Harvard University, 1965, 1967

#### **SCHOLARSHIPS, FELLOWSHIPS AND AWARDS**

National Merit Scholarship 1958-62

National Defense Education Act Fellowship 1962-66 (declined)

Harvard Prize Fellowship 1962-63

National Science Foundation Fellowship 1963-64

Guggenheim Fellow 1983-84

Rhodes Prize for Undergraduate Teaching, Stanford University, 1994

Distinguished Service Award, Public Utilities Research Center, University of Florida, 2001

Distinguished Lecture Award, Brookings-AEI Joint Center on Regulation and Markets, 2006

Alfred E. Kahn Distinguished Career Award, American Antitrust Institute, 2012

Distinguished Member Award, Transportation and Public Utilities Group, 2013

Economist of the Year, Global Competition Review, 2015

Outstanding Antitrust Litigation Achievement Award in Economics, American Antitrust Institute, 2015

Outstanding Antitrust Litigation Achievement Award in Economics, American Antitrust Institute, 2021

#### **POSITIONS**

California Institute of Technology: Instructor, 1965-67

Assistant Professor, 1967-69

Associate Professor, 1969-71

Professor, 1973-82

Chair, Division of Humanities and Social Sciences, 1978-82

Institute Professor of Social Sciences, 1982-84

Council of Economic Advisers: Senior Staff Economist 1967-69

Brookings Institution: Senior Fellow, Co-director Studies in the Regulation of Economic Activity, 1970-73

Visiting Fellow, 1995-96

Nonresident Senior Fellow, 1996-1999

## **Positions, cont'd**

Stanford University: Visiting Professor, Graduate School of Business, 1976-77  
 Professor of Economics, 1984-2006 (*Emeritus* 2006-)  
 Visiting Scholar, Hoover Institution, 1984-85  
 Director, Public Policy Program, 1985-2002  
 Professor by Courtesy, Department of Political Science, 1985-2006  
 Professor by Courtesy, Graduate School of Business, 1986-2006  
 Morris M. Doyle Centennial Professor of Public Policy, 1990-2002  
 Associate Dean, Humanities and Sciences, 1991-92  
 Director, American Studies Program, 2001-2002  
 Director, Stanford Center for International Development, 2002-06  
 University of Chicago: Reuben Gustavson Lecturer, April 1981  
 University of Rochester: Donald Gilbert Memorial Lecturer, December 1982  
 Center for Advanced Study in the Behavioral Sciences: Fellow, 1983-84  
 Carlton College: Veblen-Clark Lecturer, May 1986  
 University of Illinois: David Kinley Lecturer, May 1987  
 University of Michigan: Sunderland Fellow, Law School, Fall 1988  
 European University Institute: Jean Monnet Professor, Spring 1991  
 University of California, San Diego: Visiting Professor, 1993  
 London School of Economics: Visiting Scholar, Spring 2001, Spring 2002  
 American Antitrust Institute: Senior Fellow, 2002-  
 Whittier College: Kim Thomas Lecturer, 2010

## **COURSE TAUGHT**

Undergraduate: Introductory Economics, Intermediate Microeconomic Theory, Introduction to Econometrics, Antitrust and Regulation, Economic History of Medieval Europe, History of Economic Thought, Economic Policy Analysis, Economics of Sports, Political Economy of the West

Graduate: Antitrust and Regulation, Economic Policy Analysis, Applied Microeconomic Theory, Experimental Economics

## **RESEARCH INTERESTS**

Antitrust and Regulation, Technology Policy, Political Economics, Political Economy of Law

## **MEMBERSHIP ON BOARDS AND COMMITTEES**

President's Task Force on Communications Policy (CEA Staff Representative), 1967-68  
 President's Task Force on Suburban Problems, 1968  
 President's Committee on Urban Housing, 1968  
 President's Task Force on Public Broadcasting, 1968  
 Department of Commerce Technical Advisory Board Panel on Venture Capital, 1968-69

## Boards and Committees, cont'd

Committee on the Multiple Uses of the Coastal Zone, National Council on Marine Resources and Engineering, 1968

Secretary, President's Interagency Task Force on Income Maintenance, 1968

Task Force on Application of Economic Analysis to Transportation Problems, National Research Council, 1970-73

Committee on Technological Forecasting on Behalf of the Environment, Office of Science and Technology, 1970-71

Board of Economic Advisers, Public Interest Economics Foundation, 1974-84

Executive Committee, Caltech Environmental Quality Laboratory, 1970-71

Faculty Board, Caltech, 1974-76

Advisory Commission on Regulatory Reform, Senate Committee on Government Operations, 1975-77

Chair, Fourth Annual Telecommunications Policy Research Conference, 1975-76

Committee on Satellite Communications, National Academy of Sciences, 1975-76

Advisory Council, Jet Propulsion Laboratory, 1976-82

Chair, Committee to Monitor the Desegregation Plan of the Los Angeles Unified School District, Los Angeles Superior Court, 1978-79

Advisory Council, National Aeronautics and Space Administration, 1978-81

Advisory Council, National Science Foundation, 1978-89

Board of Advisers, National Institute of Economics and Law, 1978-84

Research Advisory Board, Committee for Economic Development, 1979-82

President's Commission for a National Agenda for the Eighties, 1980

Board of Directors, Economists, Inc., 1981-2021

Review Panel, NSF Regulation and Public Policy Program, 1981-84

Board of Editors, *Journal of Economic Literature*, 1981-90

Advisory Board, Solar Energy Research Institute, 1982-91

Board of Directors, Cornell Pelcovits and Brenner, Inc., 1982-1988

Chair, Advisory Panel on Information Technology R&D, Office of Technology Assessment, 1983-84

Supervisory Board of Editors, *Information Economics and Policy*, 1982-88

Advisory Committee on Integrated Environmental Management Program, Environmental Protection Agency, 1983-85

Commission on Behavioral and Social Sciences and Education, National Research Council, 1984-90

Advisory Panel, NSF Policy Research and Analysis Division, 1984

Director, Program on Regulatory Policy, Stanford Institute for Economic Policy Research, 1984-

Panel on Clean Air, Science Advisory Board, Environmental Protection Agency, 1985-86

Board of Editors, *Review of Economics and Statistics*, 1985-2002

Contributing Editor, *Regulation*, 1986-93

Energy Research Advisory Board, Department of Energy, 1986-89

President & Chairman of the Board, Telecommunications Policy Research Foundation, 1986-87

Coordinating Editor, *Information Economics and Policy*, 1988-92

Board of Directors, International Telecommunications Society, 1988-92

Advisory Board of Editors, *Journal of Risk and Uncertainty*, 1988-2011

## **Boards and Committees, cont'd**

Acid Rain Advisory Committee, Environmental Protection Agency, 1990-91  
 Secretary of Energy Advisory Board, 1990-95  
 International Board of Editors, *International Journal of the Economics of Business*, 1993-  
 Faculty Senate, Stanford University, 1993-95, 98-02, 04-06  
 California Council on Science and Technology, 1995-2001  
 Panel on Universities, President's Committee of Advisors on Science and Technology, 1996  
 Committee on Intellectual Property and the Information Infrastructure, National Research  
 Council, 1997-9  
 Board of Editors, *Journal of Sports Economics*, 1999-  
 Board of Associate Editors, *Economics of Governance*, 1999-  
 Advisory Board, American Antitrust Institute, 2000-  
 Board on Science, Technology and Economic Policy, National Research Council, 2000-2006  
 Committee on Universal Postal Service, National Research Council, 2008

## **SPONSORED RESEARCH**

"Opinions of Policemen." International Association of Chiefs of Police, 1969  
 "Studies in the Regulation of Economic Activity." Brookings Institution and Ford Foundation,  
 1970- 3  
 "Government Policies and Technological Innovation." National Science Foundation National  
 R&D Assessment Program, 1973-4  
 "The Social Consequences of Earthquake Prediction," National Aeronautics and Space  
 Administration, 1974-6  
 "Nuclear Safety Regulation." National Science Foundation RANN Program, 1975-7  
 "The Public Television Station Program Cooperative." National Science Foundation RANN  
 Program, 1975-7  
 "The Station Allocation Game." Federal Communications Commission, 1977  
 "Energy Policy Studies." Various donors, 1978-84  
 "Economics of Oil Leasing" and "Issues in Utility Pricing." Department of Energy, 1978-9  
 "The Economics of Boxing, Wrestling and Karate." California Athletic Commission, 1978  
 "Implementing Tradable Emissions Permits." California Air Resources Board, 1979-82  
 "Social Science and Regulatory Policy." National Science Foundation, 1980-2  
 "The Political Economy of Public Policy." National Science Foundation and Center for  
 Economic Policy Research, Stanford University, 1983-4  
 "SIEPR Program on Regulatory Policy." various donors, 1987-  
 "The Economics of Research Universities and Scholarly Communication." Brown Center for  
 Education Policy, Brookings Institution, 1995-6  
 "Coordination of Regulatory Reform," Organization for Economic Cooperation and  
 Development, 1996  
 "The Future of the Research University," Carnegie Foundation, 1996  
 "SCID Program in Economic Policy Reform," Various donors, 2002-06

## CONSULTING

Special Assistant to the President, Ford Foundation, 1969  
Space Technology Applications, Jet Propulsion Laboratory, 1969  
Panel on the Abatement of Particulate Emissions, National Research Council, 1971  
Sloan Commission on Cable Communications, 1971  
President's Commission on Government Procurement, 1971  
Senate Subcommittee on Antitrust and Monopoly, 1971-72  
MCI, Inc., 1972-73, 1983, 1986  
National Science Foundation, 1973, 1975  
Department of Justice, Antitrust Division, 1974-77, 1979-81, 1993-97  
Internal Revenue Service, 1976-77  
RAND Corporation, 1974-82  
Los Angeles Lakers, 1974-75  
National Football League Players Association, 1974-76, 1987-93, 2008, 2010-13, 2018-  
Office of Telecommunications Policy, 1975-77  
National Basketball Association Players Association, 1975-76, 1987-88, 1994  
China Lake Naval Ordnance Test Station, 1975  
Commission on Law and the Economy, American Bar Association, 1977-78  
Aspen Institute Program on Communications and Society, 1977  
National Commission on Electronic Funds Transfer, 1977  
Business Round Table, 1978  
Federal Communications Commission, 1977-81  
Food and Drug Administration, 1978  
Carnegie Commission on the Future of Public Broadcasting, 1978  
Department of Energy, 1979  
Office of Technology Assessment, 1980  
Kerr-McGee Corporation, 1980  
CBS, Inc. 1982-83  
Environmental Protection Agency, 1982-83  
Showtime/The Movie Channel, 1983, 1985  
Harlequin Books, 1984  
Lake Huron Broadcasting, 1984  
National Collegiate Athletics Association, 1984  
National Medical Enterprises, 1985, 1987-88  
Camellia City Telecasters, 1985-86  
Brown and Root, Inc., 1985-86  
McDermott, Inc., 1985-86  
Major League Baseball Players Association, 1985, 1994  
United Cable Television and American Television and Communications, 1985  
United States Football League, 1985-86  
City of Anaheim, 1986  
Technicolor, 1986  
Metro-Mobile, 1986-89  
Hewlett-Packard, 1986-90, 1991  
Echostar, 1987, 1994-95, 2002-03, 2004-05

## Consulting, cont'd

Continental Airlines, 1987-88  
 Home Box Office, 1988-89  
 Bell South Cellular, 1989  
 Western Union, 1989  
 Minnesota Twins, 1989  
 Northwest Airlines, 1989  
 Pepsico, 1989  
 Yellow Phone, 1989-91  
 Dialog, 1990-91  
 California Public Utilities Commission, 1989-90  
 American Newspaper Publishers Association, 1990  
 Humana, 1990-91  
 Class Plaintiffs, Inside Wire Antitrust Litigation, 1990-93  
 South Coast Air Quality Management District, 1990-91  
 Federal Trade Commission, 1990-91, 2010-18  
 Delta Airlines, 1991  
 California Cable Television Association, 1991  
 Bureau of Competition Policy, Government of Canada, 1991  
 R&D Business Systems, *et al.* 1991-95  
 International Entertainment Group, 1992-93  
 Nike, Inc., 1992  
 World Bank, 1992-2006  
 Gemini, Inc. 1992-94  
 Servicetrends, Inc., 1993-94  
 William Sullivan/New England Patriots, 1993-95  
 Sure Safe Industries, 1993  
 U. S. Department of Justice, Civil Division 1994-95  
 Kopies, Inc., *et al.* 1995-99  
 Telecom Technical Services, *et al.*, 1995-99  
 Digital Distribution, Inc. 1996-99  
 Silvey, *et al.*, 1996-2000  
 Aguillar, *et al.* 1996-2000  
 Wadley Medical Center, 1997-2001  
 Oakland Raiders, 1997-2000  
 Major League Soccer Players Association, 1997-2000  
 Class Plaintiffs, Brand Name Prescription Drugs Litigation, 1998-99  
 Class Plaintiffs, Compact Disc Litigation, 1999-2003  
 Class Plaintiffs, State Microsoft Antitrust Litigation (California, Iowa, Minnesota, New York),  
 2000-07  
 Kingray, 2000  
 Napster, 2000-02  
 Metropolitan Intercollegiate Basketball Association, 2002-05  
 Congressional Budget Office, 2002  
 Pioneer and Scientific Atlanta, 2002-03

## Consulting, cont'd

Lenscrafters, 2003-4, 2009-12  
 Seven Network, 2003-07  
 Sports Car Clubs of America, 2003-05  
 Intertainer, 2003-05  
 Class Plaintiffs, DRAM Antitrust Litigation 2005-07  
 Class Plaintiffs, Honeywell Antitrust Litigation, 2005-13  
 Class Plaintiffs, Tableware Antitrust Litigation, 2005-07  
 Class Plaintiffs, *White, et al., v. NCAA*, 2006-08  
 Class Plaintiffs, Apple iPod Antitrust Litigation, 2006-15  
 Sirius Satellite Radio and XM Satellite Radio, 2006-7, 2011-12  
 Class Plaintiffs, Cartier Antitrust Litigation, 2006-07  
 Monte Carlo Country Club and Société Monégasque pour l'Exploitation du Tournoi de Tennis, 2007  
 Pearle Vision, Inc., 2007-08  
 Class Plaintiffs, Apple iTunes/iPod Antitrust Litigation, 2007-15  
 Class Plaintiffs, SRAM Antitrust Litigation, 2007-09  
 Fair Isaac, 2007-09  
 Houston Baptist University, 2008  
 U. S. Department of Justice, U. S. Attorney's Office, San Francisco, 2008-09  
 Novell, 2008-11  
 GlaxoSmithKline, 2008-18  
 Class Plaintiffs, Flash Memory Antitrust Litigation, 2008-10  
 Class Plaintiffs, *Khalid Eidoo, et al., v Infineon, et al.*, 2008-14  
 MobiTV, 2009-10  
 AT&T, 2009-10  
 Verizon, 2009-10  
 Ericsson, 2009-10  
 Kaleidescape, 2011-12  
 Class Plaintiffs, Text Messaging Antitrust Litigation, 2011-15  
 Class Plaintiffs, California Automobile Insurance Antitrust Litigation, 2011-14  
 Class Plaintiffs, NCAA Student-Athlete Name and Likeness Licensing Litigation, 2011-14  
 State Attorneys General and Class Plaintiffs, E-Books Antitrust Litigation, 2013-14  
 Pandora Media, 2013-14  
 Class Plaintiffs, NHL and MLB Out-of-Market Premium Television Litigation, 2013-15  
 Class Plaintiffs, Television Blackout Antitrust Litigation, 2013-16  
 Class Plaintiffs, Digital Music Antitrust Litigation, 2013-18  
 City of San Jose, 2014-15  
 Class Plaintiffs, Lithium-Ion Batteries Antitrust Litigation, 2014-18  
 Class Plaintiffs, NCAA Athletic Grants-in-Aid Antitrust Litigation, 2015-18  
 North American Soccer League, 2017-  
 National Women's Soccer Team Players Association, 2019-22



## BOOKS AND MONOGRAPHS

*Reforming Regulation: An Evaluation of the Ash Council Report.* Brookings Institution, 1971.

*Economic Aspects of Television Regulation*, co-authors Merton J. Peck and John J. McGowan. Brookings Institution, 1973. Winner, National Association of Educational Broadcasters Annual Book Award, 1974.

*Government and the Sports Business*, editor. Brookings Institution, 1974.

*The Political Economy of Deregulation*, co-author Bruce Owen. American Enterprise Institute, 1983.

*Regulatory Policy and the Social Sciences*, editor. University of California Press, 1985.

*The Technology Pork Barrel*, co-author Linda R. Cohen. Brookings Institution, 1991.

*The Economics and Politics of Deregulation.* European University Institute, 1991.

*Constitutional Reform in California: Making State Government More Effective and Responsive*, co-editor Bruce E. Cain. University of California Institute of Governmental Studies, 1995.

*Sports, Jobs, and Taxes*, co-editor Andrew Zimbalist. Brookings Institution, 1997.

*Challenges to Research Universities*, editor. Brookings Institution, 1998.

*A Communications Cornucopia*, co-editor Monroe E. Price. Brookings Institution, 1998.

*The Economics and Politics of the Slowdown in Regulatory Reform.* AEI Press, 1999.

*The Digital Dilemma*, 17 co-authors (Committee on Intellectual Property Rights and the Emerging Information Infrastructure). National Academy Press, 2000.

*Bridging the Digital Divide*, editor. California Council on Science and Technology, 2001.

*Economic Reform in India*, co-editors Nicholas C. Hope, Anjini Kochar, and T.N. Srinivasan. Cambridge University Press, 2013.

## ARTICLES IN SCHOLARLY PUBLICATIONS

"Urban Concentration: Prospects and Implications." In *Increasing Understanding of Public Problems and Policies*. Farm Foundation, 1969.

"Metropolitan Employment and Population Distribution and the Conditions of the Urban Poor." In *Financing the Metropolis: Public Policy in Urban Economics: The Urban Affairs Institute Annual Reviews*, IV, John P. Crecine, ed. Sage Publications, 1970. Brookings Reprint No. 184.

"National Communications Policy: Discussion — Spectrum Allocation Without Markets." *American Economic Review Papers and Proceedings* 60(2) (May 1970).

"The Behavior of Regulatory Agencies." *Review of Social Economics* 24(1) (March 1971): 15-19. Brookings Reprint No. 219 (November 1971).

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